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ABSTRACT

This volume of abstracts of child day care facility licensing requirements is intended to serve as an introduction to selected aspects of the licensing process within the several states by reviewing (1) the various definitions of day care facilities in the jurisdictions covered, and (2) the prescribed regulations established by the states to effect accord with minimum state licensing standards. Part I of the Summary covers day care centers, and Part II covers family day care homes. Entries are also included for the District of Columbia and Puerto Rico. The areas of primary focus are: Child Eligibility--Age and Health; Staff/Child Ratios; Enrollee Group Size Limitations; Staffing and Adult Supervision Requirements; Staff Qualifications--Age, Training, Health; Laws, Ordinances, Regulations, and Administrative Approvals (Other Than Specific Day Care Provisions) to Which Facilities Are Subject; Provisions Relating to Physical Expansion of Facilities; Investigation and Inspection of Facilities; Useable Space for Operations - Floor Levels; Indoor/Outdoor Space Requirements; Individual Napping Accommodations Requirements; Isolation Space Requirements; and Child Nutrition - Meal and Snack Service. Appendix I contains 11 Tables, and Appendix II presents Operator/Staff Eligibility - Other Constraints. (For related document, see PS 005 486.) (Author/DB)

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DAY CARE SURVEY - 1970

SUMMARY OF SELECTED STATE LICENSING REQUIREMENTS

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DAY CARE CENTERS

FAMILY DAY CARE HOMES

(Revised)

PRELIMINARY EDITION

PS 005487

Prepared by
Evaluation Division
Office of Economic Opportunity

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to the Office of Economic Opportunity
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INTRODUCTION

This volume of abstracts of child day care facility licensing requirements is intended to serve as an introduction to selected aspects of the licensing process within the several states by reviewing (1) the various definitions of day care facilities in the jurisdictions covered, and (2) the prescribed regulations established by the states to effect accord with minimum state licensing standards. Part I of the Summary covers day care centers, Part II, family day care homes. Entries are also included for the District of Columbia and Puerto Rico.

Child care facilities which are recipients of federal funds are further subject to compliance with the Federal Interagency Day Care Requirements as well as state licensing laws and regulations. The purpose of this document, however, is to set forth only state-imposed requirements in the selected areas of coverage; therefore, federal standards are reflected only to the extent that such have been incorporated into a state's own requirements and made mandatory for all affected licensees.

While actual coverage of the Summary is somewhat broader, as indicated by the "Explanations" below, the areas of primary focus are:

Child Eligibility - Age and Health

Staff/Child Ratios

Enrollee Group Size Limitations

Staffing and Adult Supervision Requirements

Staff Qualifications - Age, Training, Health

Laws, Ordinances, Regulations, and Administrative Approvals (Other Than Specific Day Care Provisions) to Which Facilities Are Subject

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Investigation and Inspection of Facilities

Useable Space for Operations - Floor Levels

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Individual Napping Accomodations Requirements

Isolation Space Requirements

Child Nutrition - Meal and Snack Service

Summary abstracts are normally limited to the mandatory; however, suggested and desirable procedures or standards have been selectively included when such relate to any of the focal points noted above, or are addressed to other elements of the licensing process which appear consistently throughout the entries of the main text.

Those sections of the Summary covering staff qualifications (for homes as well as centers) do not generally reflect exclusionary provisions of laws and/or regulations which prohibit the employment of, or the presence of, certain classes of persons in a day care facility. These provisions relate to persons with criminal records, persons with some history of mental illness or disability, the use of narcotics or alcohol, and to other behavicral factors. Appendix II sets out selected constraints on operator and staff eligibility imposed by some of the states.

Two other types of compliances, exclusive of specific day care provisions, to which some facilities are also subject, and which are not generally reflected in the Summary include provisions relating to mandatory communicable disease reporting and to conformity with state motor vehicle regulations by facilities providing transportation for client children.

The abstracts in Parts I and II, unless otherwise noted, have been extracted from the text of laws and regulations in effect during the conduct of Day Care Survey 1970 (September 1970-January 1971), and from explanatory matter incorporated in the applicable regulatory documents.

As indicated previously, the Summary is selective rather than comprehensive in scope and coverage. Furthermore, any document of this type must be regarded as secondary source material; thus, the reader who either is contemplating the establishment of a day care operation in a specific jurisdiction or wishes to conduct a more in-depth review and analysis of state licensing requirements in general is advised to consult the text of applicable laws and regulations. The reader is also reminded that the development of regulations is a process of continuous revision. Revision document issuance policy varies among the states. Some have established loose-leaf supplement procedures, some transmit changes via administrative memoranda, others periodically issue revised editions of the entire body of regulations. Each system operates with varying frequency. To be assured of having current information it is best to consult the responsible licensing agency.

The entries in Parts I and II are each divided into sections which cover broad categories related to the licensing process. The "Explanations" below define the content of each section.

Explanations - Part I (Centers)

Licensing (or Certifying) Agency and Contact

Name and address of the state office responsible for administration of the licensing law, or for approval or certification of facilities not required to be licensed, and the office unit from which further information may be obtained. Where possible, the name of an official has also been supplied.

Legal Reference

Citations to licensing laws. Code citations are to editions usually found in general law libraries. Session law citations are provided only in instances in which licensing provisions have not been codified.

Citations to implementing regulations.

References to selected agency manuals which further elucidate licensing requirements or procedures.

Statutory and/or administrative definitions of day care, classes and types of facilities, child, adult; other applicable definitions.

Exemptions and exclusions from licensing requirements. (These are not separately stated if included in the definition of facility.)

Child Eligible, Adult/Child Ratios, Group Size

Admission requirements relating to age and health, requirements for continued eligibility of the child to remain in care, mandatory parent/facility written contractual arrangements, mandatory pre-admission interviews. Sets out required staff/child ratios, child group size limitations, restrictions on time in care per day, minimum adult supervision requirements.

Professional and Other Qualifications of Staff

Personnel and consultant staffing requirements, staff and consultant qualifications relating to education, experience, age and health. Also notes in-service training and workshop participation requirements.

Facilities - This section is somewhat broader than the term implies. While it does focus primarily on physical facilities housing the day care operation, it also covers some aspects of child health.

Other state and local laws, ordinances, regulations or standards, and national code compliances which must be met by the facility; aspects of facility operation or physical plant which require approval of other state and/or local agencies.

Procedural or other requirements relating to physical expansion.

Requirements for investigation and inspection by licensing authority and other agencies.

Useable floor levels for conduct of child care services.

Indoor and outdoor space requirements.

Special space requirements for specific groups.

Miscellaneous features relating to physical plant: heat, light, ventilation, toilet facilities, special food preparation facility requirements, telephone requirements.

Special provisions relating to pets.

Napping accomodations.

Isolation space requirements.

Child nutrition (food service, infant formula, special diets).

Special Notes

Insurance requirements or recommendations.

Special aspects of administrative structure.

References to other types of group day care facilities licensed or supervised by the state (e.g., facilities for special groups).

References to powers conferred by the state upon political subdivisions to exercise discretionary authority to impose additional licensing requirements for the operation of day care services within their respective jurisdictions.

Other miscellaneous notes.

Political Subdivisions with Separate Licensing Requirements

Jurisdictions which impose local licensing requirements which in most instances must be met in addition to those levied by the state.

Explanations - Part II (Homes)

Licensing (or Certifying) Agency and Contact

(See Explanations - Part I)

Legal Reference

(See Explanations - Part I)

In some instances in which both homes and centers are licensed under the same legal authority, applicable definitions (e.g., class of facility, child, adult) have not been repeated in Part II.

Child Eligibility

Facility capacity and any exceptions thereto, admission requirements relating to age and health (including requirements for continued eligibility), requirements or preferences relating to type of children served.

Operator Eligibility

Age, education or experience and health requirements for the day care mother. General qualifications such as maturity, good character, genuine liking for children, etc., normally are not noted except in the absence of more specific qualifications. Also includes medical examination requirements for members of the household; requirements for employment of other personnel or emergency substitutes, and any qualifications therefor.

Facilities

(See Explanations - Part I)

Special Notes

References to other types of facilities licensed by the state (e.g., group day care homes)

Other miscellaneous notes.

To facilitate review of jurisdictional licensing requirements for day care homes and centers, summary tables have been included as Appendix I.

PART I

DAY CARE CENTERS

1. Licensing Agency and Contact

Bureau of Child Welfare
Alabama Department of Pensions and Security
Montgomery, Alabama

2. Legal Reference

Code of Alabama, Recompiled 1958, Title 49, Sections 17(7), 62, 65-70, 76, 80-83.

Minimum Standards for Day Care Centers, (DPS), 1960.

Minimum Standards for Day Care Centers for Children Under Three, (DPS), 1969.

. . .It shall be the duty and responsibility of the state department to . . . license annually all institutions and agencies except those under state ownership and control, caring for, receiving, or placing minor children and to revoke such license for cause.

The term "day care center" shall mean any person, or group of persons, association, corporation, institution or agency providing care, for compensation, reward or otherwise, to more than four children during part of, or all of the daylight hours, but less than twenty-four hours, apart from their own parents or guardians. . . The term includes day nurseries, nursery schools or other similar units of operation under any other name. The term shall not include kindergartens and nursery schools operating under public school auspices, or kindergartens or nursery school operating in connection with parochial or other properly established and authorized grade schools. Care given to children on church premises while their parents attend services are excluded.

(The information below was extracted from the 1960 Minimum Standards which continue applicable to facilities serving children 2 1/2 years of age and over, pending revision of said standards.)

3. Children Eligible, Adult/Child Ratios and Group Size

A day care center must accept only children who are ready for group activity. Decisions regarding the group care of children between the ages of 2 1/2 and 3 years should be based on the development of the individual child. Children under 2 years of age must not be accepted for care and children between the ages of 2 and 2 1/2 years can be accepted only with the approval of the Department.

Within the two weeks preceding admission the child must have a medical examination by a licensed physician. If there is evidence of tuberculosis in the family, a chest x-ray should be made before admission to the center. Immunizations against small pox, tetanus, typhoid, whooping cough, polio and diphtheria should be completed before admission or within three months following admission. Re-examination of the child must be required annually or at any time the need is indicated.

The following shall be used as a guide in determining the ratio of teachers in relation to the number and ages of children. The teacher must have a full time assistant when the number of children enrolled exceeds the adult ratio set forth in the follow-schedule:

Age	Adult/Child Ratio	Maximum Group Size
2 1/2 to 4 years	1 to 10	10 children
4 to 5 years	1 to 20	20 children
5 and 6 year olds	1 to 20	20 children
school age	1 to 25	25 children

In no instance shall a day center operate with less than two staff members, one of whom shall be designated as the director.

There must be additional personnel for cooking, maintenance and clerical staff. Those persons must not be included in the adult/child ratio, but may be used as emergency substitutes temporarily if their duties and qualifications permit.

4. Professional and Other Qualifications for Staff

The child care staff, that is those working directly with the children, must have at least a high school education or its equivalent.

The director must have had at least a high school education or its equivalent and must have had a period of observation and a minimum of three months successful teaching experience with a day care service of recognized standing. If the owner of a day care center does not have the required abilities, he must employ a teaching director who does. In centers serving a large group of children, for instance thirty or more, the director must have advanced college training, successful experience in child care and development and ability in the administration of a sound program of child care.

Teachers, in addition to meeting educational requirements, must be mature, responsible adults, in good physical and mental health, with qualities of warmth and friendliness, and ability to understand and accept individual differences in children and with all persons with whom they will be working.

If persons younger than 21 years of age or over 70 years of age are members of the staff, persons between the age of 21 and 70 must be on hand at all times to give help and assistance in the care of children if needed.

Each staff member must have a complete medical examination, including a tuberculin test (and chest x-ray if necessary), at the time of employment and annually thereafter. Volunteers and substitutes should meet the same health requirements prescribed for regular staff. All staff who handle food must obtain a food handler's permit from the local health department if the department issues such permits.

5. Facilities

Applicable local ordinances (including fire, health, building, zoning, etc.) must be complied with before a license is issued by the Department of Pensions and Securities.

Plans for new buildings, or additions, or major alterations to existing buildings should be sent to the Department for review and approval before construction is started. Clearance with local building, fire, health and zoning departments should be made before proceeding with plans to build or to use a building already constructed.

All such agencies shall be subject to visitation and inspection by the county board of health, and visitation, inspection and supervision by the State Department of Pensions and Security.

Normally, ground or first floor space must be used; under certain conditions, basements and second stories may be used, provided that they also meet the approval of local fire and health officials.

The indoor space must have sufficient floor area for play to provide 35 square feet of floor space per child.

The outdoor play area must contain at least 60 square feet of useable play space per child and be fenced if there are traffic hazards.

There must be a heating system that will maintain an even temperature of 65° to 70° F. Lighting conditions at work and play levels should be at the recommended minimum of 30 sustained foot candles. A telephone must, if possible, be in the center for use in emergencies.

There must be one toilet seat and one lavatory for each 10 children. The substitution of a potty chair and/or wash basin may be approved for not more than one toilet seat and lavatory (to serve a maximum of ten children). Adequate toilet and washing facilities for the staff should be provided.

The kitchen must be equipped with stove, refrigerator, sink, dishes and cooking utensils adequate to prepare and serve food. Hot water (180°F.) or bactericidal rinse is specified for sanitization.

Outside exit doors must open outward.

There must be an individual cot or bed, with sheets and a blanket for each child who remains in the day care center for more than five hours a day.

The day care center must provide isolation quarters. This space should be in an area not used by other children and must be located where it can have constant supervision by a staff member.

The day care center must make adequate provision for meeting the food needs of children in care. Each meal should furnish approximately one-third of the day's food needs. The noon day meal must include at least one hot dish, preferably the main dish.

6. Special Notes

New facilities proposing to serve children under age three are subject to the requirements of the 1969 Minimum Standards relating to care of children under three.

7. Political Subdivisions with Separate Licensing Regulations

ALASKA

1. Licensing Agency and Contact

Division of Public Welfare
Alaska Department of Health and Welfare
Pouch H
Juneau, Alaska 99801

Mrs. Brenda K. Higgins
Day Care Consultant

2. Legal Reference

Alaska Statutes, Sections 47.35.010 - 47.35.080.

Minimum Standards for Day Nurseries in Alaska, 1961 (DHW).

No person may, without a license or permit to do so, (1) maintain or conduct a boarding home, foster home, nursery, institution or other place for the regular reception or care of children under 16 years of age, or (2) engage in the business of receiving or caring for children under 16 years of age, with or without compensation, in which a child, not related by blood or marriage, or legal adoption, to the owner or manager of the business is lodged or boarded.

The term "nursery" is defined as any establishment providing care and services for part of the 24-hour day for any child not related by blood or marriage to the owners or operators. This has been interpreted to exclude any establishment whose primary purpose is educational rather than child care. Thus, such facilities as kindergartens and nursery schools would not be subject to these (day nursery) regulations.

Two categories of nurseries have been established based on size - group care nurseries and family day care homes.

A group care nursery is one caring for more than six children at any one time.

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3. Children Eligible, Adult/Child Ratios and Group Size

Every child admitted to a group nursery shall have a physical examination by a licensed physician no later than two weeks after he is admitted, if he has not had such examination within one month prior to admission. Subsequent annual examinations shall be required.

In a group care nursery, the ratio of staff to children shall be one person for each group of 10 children or fraction thereof, with a minimum of 2 staff members. There also shall be sufficient staff for maintenance of the premises in a clean, sanitary and safe condition and for meal preparation.

When children under 3 are cared for, it is recommended that there be personnel with responsibility only for their care, and that there be at least one staff member for each 5 such children.

If children under the age of 3 are cared for, a separate program shall be provided for them, taking into consideration their special needs. Separate play and sleeping space shall be required.

4. Professional and Other Qualifications for Staff

The Administrator or person responsible for operation of the nursery shall be at least 21 years of age.

All personnel with responsibility for staff supervision shall have at least a high school education. Exception to this requirement may be made for persons who, through experience, have demonstrated their ability to care for children in a group.

All staff members shall undergo a physical examination within six months prior to employment or not later than one week after employment, and annually thereafter. Chest x-ray or other test for tuberculosis shall be part of the examination. (Serological test is recommended.)

5. Facilities

Regulations concerning the physical plant of a group care nursery are based on the standards set forth in the Uniform Building Code of the Pacific Coast Building Officials Conference, 1958 Edition. A group care nursery shall meet the requirements for Group "C" occupancies.

The group care nursery shall conform to all State and local regulations with regard to fire protection, and shall be subject to periodic inspections by the State Fire Marshal or the local Fire Department.

A group care nursery shall conform to all applicable State regulations contained in Title 7 of the Alaska Administrative Code and local regulations with regard to sanitation, and shall be subject to periodic inspection by state and/or local sanitation authorities.

All State and local health regulations shall be followed in the nursery.

Any substantial change in the physical plant of the nursery or its program shall be subject to review and approval by the Division (of Public Welfare). The Division shall be notified at least thirty days prior to the initiation of such changes.

Decision regarding licensure of any nursery shall be made by the Director of the Division of Public Welfare, based on a study of the nursery -- its staff, management and program -- by a staff member of the Division in cooperation with State and local sanitation and fire protection officials, to determine whether said nursery complies with the regulations for day nurseries.

If the group care nursery is on the ground or first floor, the building must be of on-hour-fire-resistive construction. If more than one story is used, or the nursery is located above the first floor, additional building specifications must be met.

A group care nursery shall have not less than 30 square feet of useable floor space per child.

Outdoor play space shall be sufficient to accommodate the number of children cared for. 75 square feet per child is recommended. This area shall be well drained and enclosed in such a manner as to prevent the children from leaving the premises without proper supervision.

At least two exits shall be provided in a building, or portion thereof, which is used as a group care nursery. If nursery is more than one story in height, there shall be at least two exits on each floor. Each exit shall be equipped with panic hardware.

A group care nursery shall have a central heating unit which is the sole means of heating the building.

Every nursery shall have a telephone, or one shall be readily available.

Individual cots or beds shall be provided for each child.

The group care nursery shall have a separate room to be used for isolation of a child who is ill until arrangements can be made for his removal from the nursery.

For children who remain more than four hours in the nursery, a complete and well-balanced meal shall be provided. At least one-third of the child's daily minimum requirements shall be provided.

6. Special Notes

Each group care nursery shall procure bodily injury liability insurance in an amount of not less than $10,000 one person, $50,000 one accident in companies authorized to do business in the State of Alaska. Such policies shall be endorsed as follows:

"In the event of cancellation of this policy, the company hereby agrees to give 30 days notice to the Division of Public Welfare, Department of Health and Welfare, Alaska Office Building, Juneau, Alaska."

7. Political Subdivisions with Separate Licensing Regulations

Greater Anchorage Borough. Contact:

Greater Anchorage Area
Borough Health Department
327 Eagle Street
Anchorage, Alaska 99501

1. Licensing Agency and Contact

State Department of Health
Phoenix, Arizona

2. Legal Reference

Arizona Revised Statutes Annotated, Sections 36-881 - 36-892.

Rules and Regulations for Child Day Care Agencies, (DH).

Child care agency includes any person who maintains facilities for the purpose of providing care, supervision or training for 5 or more children not related to the proprietor under the age of 16 years for periods of more than 1 hour, but less than 24 hours per day apart from their parents or guardians for compensation excepting parochial and private educational institutions which are operated for the sole purpose of providing an education to children in substitution for an education in the public school system. Other exemptions include public schools, and religious organizations conducting nurseries in conjunction with their religious services.

3. Children Eligible, Adult/Child Ratios and Group Size

Infant shall mean a child under 18 months or, one who has not yet reached the steady walking stage, or who requires the use of diapers. Infants may be enrolled; however, special permission from the Department is required to do so.

Recordkeeping requirements prescribe that individual children's records include a report by the parent or physician noting history of immunization, illness susceptibility and special requirements for health and maintenance. . .

The maximum number of children in attendance per staff member in agencies that are licensed for more than 10 children shall not exceed the following:

10 - infants of crib or toddler stage
10 - pre-school children up to 3 years
15 - children 3 years to 4 years
20 - children 4 years to 5 years
25 - children 5 years to 6 years and above.

Staff, for the purpose of adult/child ratios, is limited to directors, teachers and assistants. Domestic and maintenance personnel are not included for adult/child ratios.

When children are in attendance, a director or a qualified person designated by the director shall be on the premises at all times and in charge of the agency. An agency shall have a minimum of 2 staff members on duty whenever the number of children on the premises exceeds 10. Where 10 or less children are present one adult need be on the premises with a second continuously and readily available for relief.

4. Professional and Other Qualifications for Staff

The minimum age for the director (or his designee in charge) is 21 years.

The minimum age of staff members shall be 18 years of age except that persons of 16 to 18 years may be used under adult supervision.

Within six weeks prior to employment, all personnel must have a physical examination which includes a blood test. Personnel must also present a negative tuberculosis report at the time of employment and annually thereafter.

If the agency is conducted in a private home, every member of the household shall be subject to these same health requirements.

5. Facilities

All new construction shall meet the requirements of applicable local and State codes, including the most recent edition of certain documents - set out in the regulations - relating to building, electric, plumbing, refrigeration, elevator safety, fire prevention, and food service establishment standards.

Building additions, conversions and alterations must meet the standards for new building construction.

When local construction standards and exit requirements are more restrictive than those mentioned in the Rules, local requirements shall prevail.

Plans, working drawings and specifications for new construction or alteration must be submitted to the Department before any work is initiated.

A notification of current inspection from the regularly appointed fire inspector certifying compliance with the local fire ordinances is required to be attached to both initial and renewal applications for licensure.

Upon application for a license, an appointment will be made by the Department to investigate the facilities, activities and standards of care of the agency to see that the agency conforms with the standards prescribed by the Department. Additional inspections may be made without appointments by the Department at any time during the hours of operation of the agency.

Rooms of new agencies used for preschool, kindergarten, first or second grade pupils shall not be located above the first story above grade except in buildings of Type I (concrete and steel) construction.

At least 35 square feet of indoor play area per child shall be provided

The outdoor play area shall have at least 75 square feet for each child occupying the area at any time and be fenced adequately.

At least one flush toilet and one lavatory for 10 or less children, at least two flush toilets and two lavatories for 11 to 25 children and at least one flush toilet and one lavatory for each additional 20 children. (Infants using diapers need not be included.)

When occupied by more than 25 individuals, a manually operated fire alarm system and heat detection alarm system shall be provided in the building. Portable fire extinguishers shall be installed and maintained.

A cot or crib will be provided for each child. If the child is in short session (less than 5 hours) clean individual rugs are acceptable.

Isolation quarters, separated from the facilities used by the children, shall be provided.

Meals shall be available to all children at customary meal times. Individual sack lunches provided by the parents are acceptable. A warm meal shall be served the child in the variety and amounts necessary to meet approximately one-third of the recommended dietary allowances of the National Research Council (when sack lunches are not provided by the parents).

6. Special Notes

Special infant care requirements are included in the rules and regulations for those agencies which have received infant care permission from the Department. The full text should be consulted for the infant care requirements.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

Family and Children's Services Division
Arkansas Department of Public Welfare
Little Rock, Arkansas

Mrs. Adaline R. Patterson
Day Care Consultant

2. Legal Reference

Arkansas Statutes Annotated (1947) Sections 83-901 - 83-916.

Day Care Center Standards, (DPW), 1970.

Day Care Standards for Children under 3 Years, (DPW), 1970.

"Child Care Facility" means any facility which provides care, education, training, custody, or supervision for any minor child who is not related by blood, marriage, or adoption to the owner or operator of such a facility, whether or not the facility is operated for profit, and whether or not the facility makes a charge for the services . . . this definition includes, but is not limited to, a nursery, a nursery school, a kindergarten, a day care center, or a family day care home, foster homes, group homes and custodial institutions.

Exemptions from licensing requirements include:

1) Special schools or classes operated solely for religious instruction.

2) Facilities operated in connection with a church, shopping center, business, or establishment where children are cared for during short periods of time while parents or persons in charge of such children are attending church services, shopping, or engaging in other activities during such periods.

3) Any educational facility, whether private or public, which operates solely for educational purposes in grades one or above and does not provide any custodial care.

4) Kindergartens operated as part of public schools of Arkansas.

5) Any arrangement by which one or more persons care for children of not more than two families at the same time.

A day care center is any place maintained or conducted under public or private auspices on a profit or non-profit basis, for the care of six or more children, between the ages of 3 and 6 years, for as many as 5 or more hours of the 24-hour day. This includes children who come to the facility for kindergarten and remain for additional custodial care during the day. This also includes facilities that give care to children before and after school.

Because of the difficulties in finding suitable child care facilities for children under 3, the Arkansas Department of Public Welfare has established standards for regulating infant care in day care centers.

(With the exception staff/child ratios for children under 3 years of age, the summary below relates to the care of children between 3 and 6 years of age.)

3. Children Eligible, Adult/Child Ratios and Group Size

A health "record" including appropriate immunizations and notations of physical limitations, if any, must be submitted for each child within one week after enrollment.

The following staff/child ratios will be maintained:

Age of Child	Adult/Child Ratio
Under 2 years	1 to 4
2 to 3 years	1 to 6
3 and older	1 to 10

If there are as many as 10 children in attendance, there must be two people on duty during peak hours of the day.

4. Professional and Other Qualifications for Staff

The Director of a center and other responsible members of the staff must be between the ages of 21 and 65 and must have the equivalent of a high school education. Younger staff members may be trained to assume more responsibilities. Persons between 12 and 21 may serve under the supervision of older workers.

The Director and staff must attend at least one of the following during the year:

Staff Training Workshops
Meetings of Local Pre-School Workers
Professional Meetings
First Aid Training

Every member of the staff must be a person of good character; a statement from a physician concerning applicant's physical and mental health is required. Tuberculosis and venereal disease tests will be specified.

If the center is operated in a private home, information or health card must be furnished as to the character and physical and mental health of all other members of the household who will be in contact with the children. Tuberculosis, venereal disease and mental health information from a physician must be provided at least once a year.

5. Facilities

All day care centers must comply with local fire, health, building and zoning ordinances. An annual inspection by the Health Department and Fire Department is necessary for licensing and renewal. If there is no local person available for this inspection, a state representative will be required.

Centers must also comply with regulations of the Arkansas State Board of Health relating to kitchens and waste disposal, and State Health Department food service regulations.

The child caring facility shall be inspected and approved by a duly authorized representative of the Welfare Department prior to accepting children for care and issuance of a license. The Department shall have the authority to visit and inspect the facility at all reasonable times.

Ground or first floor space is recommended for day care centers. Basements or second story space may be used only after approval.

The indoor play area shall contain a minimum of 35 square feet of useable floor space per child.

The outdoor play space must contain 75 square feet per child and must be fenced.

Heating shall be adequate to keep the floor warm and the room temperature at 68° to 70° F.

Paint used in any way in the facility must be lead-free.

A telephone must be provided.

The following ratios must be met for toilets and wash basins:

Number of Children	Number of Toilets and Wash Basins
1 to 12	1
13 to 25	2
26 to 35	3
36 to 45	4
46 to 55	5

Each center with 30 or more children must have one area with toilet facilities designated as a lounge for the staff.

There must be individual cots, sheets and a blanket for each child who remains for more than 5 hours.

Separate space must be provided for the isolation of children suspected of illness.

Morning and afternoon snacks must be provided for all children. Breakfast should be served as the children arrive very early. An evening meal must be served if children arrive in the afternoon and remain through the evening.

6. Special Notes

7. Political Subdivisions with Separate Licensing Regulations

The Cities of Little Rock and North Little Rock.

1. Licensing Agency and Contact

Adoptions and Foster Care Bureau
Department of Social Welfare
744 P Street
Sacramento, California 95814

Mr. Frank M. Howard, Assistant Chief

2. Legal Reference

California Welfare and Institutions Code, Section 16000 et seq.

California Administrative Code, Title 22, Chapter 3.

No person, association, or corporation shall, without first having obtained a written license or permit therefor from the Department or from an inspection service approved or accredited by the Department: (a) Maintain or conduct any institution, boarding home, day nursery, or other place for the reception or care of children under 16 years of age, nor engage in the business of receiving or caring for such children, nor receive or care for any such child in the absence of its parents or guardian either with or without compensation.

The term day nursery includes:

1. Day nurseries for the children of working mothers.
2. Nursery schools for children under the minimum age for admission to public schools.
3. Parent-cooperative nursery schools.
4. Play groups for pre-school children.
5. Programs giving after-school care to school children.
6. All other types of group day care programs.

The term day nursery does not include:

1. Foster family day care homes.
2. Facilities offering 24-hour care.
3. Regular elementary schools which offer educational programs only.

(In April of 1970 the Department adopted "Standards for Group Care of Infants" which have now been incorporated into the Administrative Code. The summary which follows applies to nurseries serving children aged 2 years and over.)

3. Children Eligible, Adult/Child Ratios and Group Size

Children under two years of age shall not be accepted.

Children who are physically handicapped or emotionally disturbed shall not be accepted, unless it is determined that there would be no adverse affect on other children, either through direct behavior of the child or through requiring staff time needed by other children, and the nursery is able to meet the individual needs of the child.

Prior to admission, the nursery must obtain for each child, not otherwise exempt, a written report from a licensed physician which covers general health, physical and emotional maturity, special problems and needs, immunizations, and a tuberculosis examination. Exemptions from the medical examination may be granted on religious grounds.

All children not otherwise exempt must have the following immunizations before admission: smallpox vaccination, diphtheria, pertussis, tetanus, poliomyelitis, measles. In addition to exemption based on parental religious belief, a child may be excepted from immunization requirements on medical grounds.

There must be an adequate number of qualified teachers on duty during the hours the nursery is in operation. No group of children shall be left without adult supervision at any time.

There must be an overall ratio of not less than one teacher to 12 enrolled children, or one teacher and a teacher-assistant to 15 children.

Parent-cooperative nurseries must arrange for a regular continuing assistant teacher in addition to the Director and participating parents when the number of children reaches 25. There must be at least one adult for each five children in attendance.

4. Professional and Other Qualifications for Staff

All staff members must be of good character and equipped by education, training and/or experience for the work they are required to do.

There must be a responsible director in charge of the nursery at all times that it is in operation.

The director must be at least 21 years of age and meet one of the required alternative combinations of education and experience which include:

Graduation from high school and completion of 12 semester units or equivalent in early childhood education, or formal training in this field plus, courses in administration or staff relations, plus four years experience;

or

One year of college and completion of 12 semesters in early childhood education, or other formal training in this field and the equivalent of 3 semesters in administration or staff relations, plus 2 years experience;

or

Two years of college and completion of 12 semesters in early childhood education, or other formal training in this field and the equivalent of 3 semesters in administration or staff relations, plus one year of experience;

or

Bachelor's degree with major in early childhood education or completion of 12 semesters in early childhood or other formal training in this field, plus the equivalent of 3 semesters in administration or staff relations.

Teachers must be at least 18 years of age and must meet one of the following requirements:

> Enrollment in a course of study leading to a high school diploma or the equivalent, and have had 2 years' experience in group child care, and successful completion of 12 semester units or the equivalent in early childhood education or other formal training in working with children of the age group served by the day nursery or after employment, completion each year of at least 2 semesters of early childhood education or equivalent training, until at least 12 semesters have been completed;
>
> or
>
> Graduation from high school or the equivalent, plus completion of academic or other formal training in early childhood education (as noted above) either before or after employment.

Teacher-assistants must be at least 18 years of age; volunteers and others not on full-time duty must be at least 16 years of age.

When nurseries employ or use professional staff such as physicians, psychiatrists, social case workers, psychologists or nurses, these persons must meet the minimum professional standards in their particular fields. Professional persons whose practice is regulated by state law, must meet the requirements of the Department of Professional and Vocational Standards.

All employees must have a complete physical examination prior to beginning work. This examination must include the verification of freedom from tuberculosis. (By law the nursery must have on file, reports showing that each employee has had the required T.B. test or x-ray within the last 12 months, and is free from tuberculosis.) Members of the staff shall be referred to their physician for checkups when necessary.

5. Facilities

A fire safety clearance from the State Fire Marshal is required before initial licensing and before any change in the terms of the license which affects fire safety. Heating equipment and installation shall be subject to the fire inspection authority having jurisdiction.

Plans for new buildings or additions or major alterations to existing buildings to be used for day nurseries shall be submitted to the State Department of Social Welfare for review and approval before construction is started. In the case of a multi-function building which may house other programs in addition to the nursery, the Department's review is limited to the nursery section.

The department may inspect and examine facilities and the performance of services by such facilities.

Rooms used for day care children shall not be located above the first story except in buildings of Type I or Type II construction, or in buildings provided with a full automatic sprinkler system.

There will be 35 square feet of useable floor space per child provided in the building.

There will be at least 75 square feet per child of outdoor play space provided. The outdoor play space must be properly surfaced and fenced.

Window space in the building must be at least one eight of the floor area of the room and 50% of the required windows must be openable.

One toilet and hand washing facility is required for the first 14 children, and one additional toilet and lavatory must be added for every ten children, or fractional part thereof, in excess of 14 children.

There must be one toilet and hand washing facility, separate from the general use toilets, for isolation, staff, and emergency use.

There must be hot water between 100° F. and 130° F. in the washrooms.

Some space must be available in the nursery to serve as an office.

There must be a properly equipped room available for use as a staff rest room which will include a day bed or couch and space for storage of coats and personal belongings.

There must be a well-constructed cot and bedding available for each child who naps.

There must be provision for isolating a sick child.

Nurseries in which children remain through the noon hour must see that each child is provided with a meal which includes approximately one-third of the child's daily food needs according to the standards of the National Research Council. A mid-morning and an afternoon snack will be served.

6. Special Notes

Workman's compensation insurance shall be carried as required by the California Labor Code.

Day Care centers are licensed directly by the State Department of Social Welfare.

Written admission policies shall include a statement that the nursery is operated on a nondiscriminatory basis, according equal treatment and access to services without regard to race, color, religion, national origin or ancestry.

Local authorities of any city or county may adopt rules and regulations prescribing standards of sanitation, health, and higiene for day nurseries or other places for the reception and care of children under 16 years of age, not in conflict with the State regulations, for application within their respective jurisdictions. Local governments may also require a local health permit to maintain or conduct a nursery.

7. Political Subdivisions with Separate Licensing Regulations

COLORADO

1. Licensing Agency and Contact

Licensing Unit
Children and Youth Services
Division of Public Welfare
Colorado Department of Social Services
1600 Sherman Street
Denver, Colorado 80203

2. Legal Reference

Colorado Revised Statutes 1963, Sections 119-8-1 - 119-8-12.

Minimum Rules and Regulations for Children's Centers, (DSS), 1970.

Minimum Rules and Regulations for Small Day Care Centers, (DSS) (effective 1966).

Minimum Rules and Regulations for Toddler Nurseries, (DSS) (approved 1967).

Minimum Rules and Regulations for Infant Nurseries, (DSS) (approved 1967).

"Child care center" means a facility, by whatever name known, which is maintained for the whole or part of a day for the care of five or more children under the age of sixteen years and not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care, and with or without stated educational purposes. The term shall include facilities commonly known as "day care centers", "day nurseries", "nursery schools", "kindergartens", "preschools", "play groups", "day camps", "summer camps", "centers for mentally retarded children" and those facilities which give twenty-four hour care for dependent and neglected children; and shall include those facilities for children under the age of six years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school, except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least six grades; further, the term "kindergarten" shall mean any facility providing an educational program for children only for the year preceding their entrance to the first grade, whether such facility is called a kindergarten, nursery school, preschool, or by any other name. The term shall not include any facility licensed as a family care home. . .

Other facilities exempt from licensing requirements include special schools or classes operated primarily for religious instruction; hospitals and maternity homes licensed by the state department of public health; facilities operated in connection with a church, shopping center, or business where children are cared for during short periods of time while parents or persons in charge of such children are attending church services, or shopping, or patronizing any such business; juvenile courts.

A children's center is a facility which is maintained for less than 24 hours per day for the care of ten or more children between the age of two and-one-half and sixteen years. This term includes facilities commonly known as "day care centers", "day nurseries", "nursery schools", "pre-schools" and "play groups".

A small day care center is a facility which is maintained for part of a day, but less than 24 hours per day for the care of up to ten children between the ages of two and sixteen years of age. This term includes facilities which are commonly known as "day care centers", "day nurseries", "nursery schools", "pre-schools" and "play groups".

An Infant Nursery is a facility which is maintained for less than 24 hours per day for the care of infants, birth through nine months of age.

A Toddler Nursery is a facility which is maintained less than 24 hours per day for the care of children between the ages of ten months and two and one-half years.

(The summary below has been extracted from Children's Centers regulations.)

3. Children Eligible, Adult/Child Ratios and Group Size

A center shall not admit a child less than 2 1/2 years of age nor one older than that whose needs it cannot meet or whose presence would be undesirable or dangerous for other children in the center.

Prior to admission the parent shall present a physician's statement certifying that the child has no abnormality or illness that would make admission undesirable, current vaccination for smallpox and current immunization for diphtheria, whooping cough, tetanus and poliomyelitis unless any or all of the above are contraindicated for medical reasons or because of religious objection or medical explanation for non-compliance. Measles immunization shall be encouraged when there are no contraindications.

Health examinations must be repeated annually and whenever the need arises as determined by the director.

The ratio of center staff to children shall conform to the following:

Age	Adult/Child Ratio
2 1/2 to 3 years	1 to 8
3 to 4 years	1 to 10
4 to 5 years	1 to 12
5 years and over	1 to 15

The ratio in mixed groups will be determined by the age of the youngest child in the group.

In no instance shall a center operate with less than two staff members, one of whom shall be free of other responsibilities while in charge of the children.

4. Professional and Other Qualifications for Staff.

The Director shall have had a minimum of three years previous satisfactory experience in the group care of children or at least two years of formal education beyond high school and a minimum of one year previous satisfactory experience in the group care of children. In addition, the Director must complete a minimum of 24 semester hours or equivalent in courses dealing with child development or similar subjects. After January 1, 1971, Director shall be a graduate of an accredited 4-year college or university, with a major in early childhood education.

The Head Teacher shall have the same qualifications as the Director.

A Children's Group Leader shall have a minimum of a high school education and shall be at least 18 years of age. A group leader shall work directly under the supervision of the head teacher. When the group leader is at least 21 years of age and completed 18 semester hours or equivalent in early childhood education subjects she may be put in charge of a group of children.

Helpers must be at least 16 years of age and work under the direct supervision of a Head Teacher or Director.

Volunteers shall have the required qualifications for the position assigned.

Centers which enroll 10 or more school age children shall have at least one staff member who is qualified by training and experience in group activity to work with this age group.

Prior to the time of employment and every year thereafter, all personnel must produce a doctor's statement that they are free from any evidence of illness, mental or physical, which might conflict with the children's interests. All personnel must have an annual report of a negative chest x-ray or tuberculin test.

5. Facilities

No license for a child care center shall be issued or renewed . . . until the facilities . . . shall be approved by state or local departments of Public Health as conforming to the sanitary standards prescribed by said departments . . . and unless such facilities shall conform to fire prevention and protection requirements of local fire departments . . . or, in lieu thereof, of the Industrial Commission of Colorado.

There shall be suitable housing which provides light, heat, ventilation, plumbing, garbage disposal and rooms conforming in construction, safety and sanitary precautions to the regulations of the State Health Department, Industrial Commission, and local fire, health, and building code regulations.

A child care center may wish . . . to increase the facility to meet the larger demand of the community for service. Major changes in or additions to housing or use of rooms - as well as other specific changes or events bearing on the license - must be reported, in writing, to the Public Welfare Division immediately.

The department shall inspect or cause to be inspected the facilities to be operated by an applicant for an original license before the license shall be granted, and shall annually thereafter inspect or cause to be inspected the facilities of all licensees. Local departments of welfare or health may be authorized to perform such inspections.

The center shall provide at least 30 square feet of open indoor play space for each child for whom the center is licensed.

The center shall provide an outdoor play area of either 75 square feet for each child, for whom the center is licensed, or 200 square feet per child per group occupying the space at one time. The outdoor play area shall be fenced.

A temperature of 68° to 72° F. within two feet of the floor shall be maintained.

The center shall provide a minimum of one lavatory and one flush toilet for each 15 or less children.

Telephone service is required.

A cot shall be provided for each child remaining in the center over 4 hours.

An isolation room is required.

Children who are in child care centers for more than 4 hours shall have at least one-third of the daily food needs served at the noon meal and regularly scheduled supplementary snacks. Staff members shall eat with the children.

6. Special Notes

Each center shall carry public liability insurance for its own protection.

Each center shall comply with the Federal Social Security Act.

Each center should carry Workman's Compensation Insurance.

Facilities operating their own transportation unit of under 10 passengers shall carry minimum limits of $25,000 for injury to any one person and $100,000 in any one accident.

In units of 10 to 25 passengers, minimum limits shall be $50,000 and $300,000.

A city or city and county may impose and enforce higher standards and requirements for facilities licensed by the State than the minimum standards and requirements specified by the State.

It is recommended that applicants check with their local zoning and building code officials for compliance with their regulations. Non-compliance with zoning and building codes would give reason for local authorities to close the facility.

7. Political Subdivisions with Separate Licensing Regulations

Denver.

1. Licensing Agency and Contact

Office of Public Health
Connecticut State Department of Health
75 Elm Street
Hartford, Connecticut 06115

Dr. Sherwin Mellins, M. D., Chief
Maternal and Child Health Section

2. Legal Reference

Connecticut General Statutes Annotated, Sections 19-43(B) to 19-43(L).

Public Health Code Regulations - Child Day Care Centers, (DH), 1970.

"Child day care center" means any facility which offers or provides a program of supplementary care to five or more unrelated children outside their own homes on a regular basis for a part of the twenty-four hours in one or more days in the week. "Child day care center" shall not include: (a) Facilities which are an integral part of the school system; (b) kindergarten and nursery schools which are teacher-training laboratories for accredited institutions of higher learning; (c) such after-school or vacation recreation facilities as settlement houses, boys' and girls' clubs, scouting and camping organizations and church-related community centers and youth organizations; (d) informal cooperative arrangements among neighbors or relatives in their own homes.

3. Children Eligible, Adult/Child Ratios and Group Size

Infants under 4 weeks of age shall not be admitted to a group day care center.

Each child admitted to a center shall be examined and have a certificate of admission signed by a physician. Such certificate shall show that the child has been successfully vaccinated against smallpox and immunized against diphtheria, pertussis, polio and measles.

The following staff ratios at any given time for specified age groups will be required:

Age	Group Size	Adult/Child Ratio
Under 3 years	8	1 to 4
3 to 4 years	15	1 to 5 or 7
4 to 6 years	20	1 to 7 or 9
6 through 14 years	25	1 to 10 or 12

The lower figure in the above adult/child ratios is the preferred ratio.

There shall be one adult in attendance at all times and a second responsible person on the premises and within hearing distance.

4. Professional and Other Qualifications for Staff

There shall be substantial compliance with the following minimum requirements by all centers established after the date of promulgation of these regulations and all centers existing on said date shall so comply as of September 1, 1971.

The Director-teacher or head teacher shall have a high school diploma or equivalent and at least one year of supervised experience in an acceptable program working with young children. Any such person who has served as a program director for 20 or more years shall be considered as meeting the preparation requirements.

A program assistant shall have at least a high school diploma or its equivalent. The person shall show evidence of active pursuit of further preparation. Again, any person who has served as a program assistant for 20 or more years shall be considered as meeting the preparation requirements.

A program aide shall have the personal qualities to work with young children and to work under supervision.

The center shall show evidence that a plan for staff development satisfactory to DH is being implemented.

All centers without a director-teacher qualified in child development or early childhood education shall present evidence of qualified educational consultation.

Other consultants:

A licensed physician, selected by the child day care center, or a hospital emergency service by prearrangement, shall be available in case of emergency.

A physician or public health nurse shall be on call for advice on problems relating to the health of the children and the health program.

A licensed dentist shall be available, when indicated, for advice relating to a dental health educational program for the center.

A nutritionist shall be available, when indicated, to the director and staff for advice on nutrition and food service.

Centers without a social worker on the staff shall arrange for qualified social service consultation as appropriate.

Each staff member shall furnish a pre-employment certificate of good health, physical and emotional, including a negative tuberculin test or normal chest x-ray. Thereafter, a certificate of good health shall be required annually and a tuberculin test or chest x-ray at least every three years. The staff shall be free of disease or disability that would have a harmful effect on the children.

All persons who work with infants shall present evidence of a negative chest x-ray or tuberculin test annually.

5. Facilities

There shall be compliance with local zoning and building regulations.

A certificate of approval shall be obtained from the local fire marshal.

There must be compliance with other specified provisions of the state public health code relating to plumbing, water and toilet systems, swimming and bathing facilities, and food preparation and service.

Plumbing, water and toilet systems shall also meet the provisions of any related local code.

Wherever water is obtained from other than an approved public water supply, it shall be safe, sanitary quality approved by the state department of health.

Upon receipt of an application for a license the commissioner of health shall issue such license if, upon inspection and investigation, he finds that the applicant, the facilities and the program meet the health, educational and social needs of children likely to attend the child day care center and comply with requirements established by regulations adopted under the licensing law.

The commissioner shall make periodic inspections of licensed day care centers and shall provide consultative services to licensees and applicants for licenses to assist them to attain and maintain the standards established in regulations adopted under the licensing law.

There shall be a minimum allowance of 30 square feet per child of indoor useable space, and a minimum of 75 square feet per child of outdoor play yard so located and protected for safety.

There shall be a telephone at the center.

Rooms to be used by children should receive the maximum amount of light and sunshine. A minimum of 20 foot candles of light shall be provided.

For children between the ages of 2 and 7 years of age there shall be at least one toilet and one wash bowl with hot and cold water for every 15 children or a fraction thereof. For children over 7 years of age, there shall be at least one toilet and one wash bowl for every 25 children or fraction thereof.

The kitchen will be separated by a door or gate from rooms used by the child day care center children to prevent them from entering the kitchen except under supervision.

An individual cot shall be provided wherever children remain 5 hours or longer.

A suitably equipped space shall be provided for isolation of any child suspected of having any communicable disease, pending examination by a physician or removal of the child to his home or both.

A nutritionally adequate meal shall be provided whenever children remain for five hours or more.

6. Special Notes

Centers serving handicapped an atypical children shall seek consultation from the appropriate state agency. Upon request of such state agency, modifications of the (child day care center) regulations may be considered by the commissioner of health.

7. Political Subdivisions with Separate Licensing Regulations

City of East Hartford

1. Licensing Agency and Contact

Division of Social Services
Department of Health and Social Services
P. O. Box 309
Wilmington, Delaware 19899

Mrs. Joyce Alexander
Foster Care and Licensing Consultant

2. Legal Reference

Delaware Code Annotated, Title 31, Sections 341-344.

Requirements for Licensing and Approving Day Care Centers, (DHSS), 1970.

. . . Any person, association, agency, or organization is the keeper of a boarding home for children, if for hire, he or it -

> Advertises or holds himself or itself out as conducting such a boarding home;
>
> He has in custody or control one child or more under the age of 18, unattended by parents or guardian, for the purpose of providing such child or children with care, food or clothing for compensation.

Homes in which children have been placed by any child placement agency, properly licensed to place children in this State, shall not be regarded as "boarding homes."

Excluded from licensing requirements for boarding home facilities - of which the day care center is a class - are institutions, agencies, associations or organizations under State ownership and control and maternity wards of general hospitals.

A day care center is any facility which is owned and/or operated by an individual, a group of persons, or an agency that provides a program for 12 children or more for 4 hours or more per day. Day care includes facilities commonly called child care centers, day nurseries, kindergartens, nurseries, and day care centers. Day care specifically excludes: those institutions under supervision of the Department of Public Instruction, those owned and operated by governmental agencies or hospitals. After school care, and infant care, are special forms of day care and are included in the day care center standards. Such care may be provided in a private home, in a rented or owned property converted to the purpose of providing group care or in space made available by a community organization, church or institution.

The general Day Care Regulations shall apply to the day care for infants except where specifically altered by the regulations for infant day care. In this case, the infant day care regulations shall take precedence.

3 Children Eligible, Adult/Child Ratios and Group Size

Children from infancy to the age of 18 years may be accepted for care. (An infant is defined as a child under the age of 12 months and/or unable to walk.)

Every child shall have a health examination by a licensed physician before admission, or within 3 days in case of emergency admission. This examination shall be repeated annually. The examiner shall certify that the child is free from communicable diseases, including tuberculosis. . . Each child, prior to admission must show evidence of all appropriate immunizations, either complete or in process.

In the case of after school care, a copy of the health records from the public school are sufficient.

The required staff ratios for each age group and maximum group sizes are:

Age of Child	Child:Staff Ratio	Group Size Limit
0 to 1 year (or not walking)	5 - 1	5
1 yr. (or walking) to 2 1/2 yrs.	8 - 1	8
2 1/2 yrs. to 4 years	15 - 1	15
4 yrs. to 6 years	20 - 1	20
6 yrs. to 18 years	25 - 1	25

Each group must have, in addition to the adult who must be always with it, an additional staff member immediately available within less than one minute.

Where less than 5 infants are cared for in a facility, older children up to 2 1/2 years may be included with the infants; in no case should the child:staff ratio exceed 5:1.

Wherever more than 5 infants are cared for, an additional staff member must be assigned for any number in excess of a multiple of 5, thus for 6-10 children, 2 staff members; 11-15 children, 3 staff members.

4. Professional and Other Qualifications for Staff

There shall be a person in charge (director, head teacher or program director) responsible for the administration of the center . . . The person-in-charge must have sufficient administrative capacity to maintain efficient operation of the day care center. In the absence of the person-in-charge there shall be designated someone capable of carrying these responsibilities.

The Director, Head Teacher or Program Director must:

Hold a 4 year college degree in early childhood development or its equivalent and have 1 year of practical experience, or

Be a high school graduate, have some formal training in early childhood development or its equivalent, have 3 years practical experience in day care, and be at least 21 years old, or,

If the director, who must be a high school graduate and at least 21 years old, is not qualified in the field of early childhood development, an educational supervisor or consultant must be available at least one-half day each week to plan and direct the children's program, to supervise the teachers in their work and to plan and carry out staff development activities for the teachers.

Teachers must be at least 18 years old and be high school graduates (or have an equivalency certificate) and have at least 1 year's employment experience working with children of this age group. They must have successfully completed at least 2 courses in early childhood development or education, preferably one of which involved direct contact with children of this age group.

The equivalent of the formal course training requirement may be acquired by on-the-job training consisting of 60 hours of seminars, staff conferences, and assigned reading conducted either by a director who has a college degree (supra) or an educational supervisor. If a teacher has successfully completed a 4 year college course in early childhood development or education, that teacher must have had 3 months full time employment experience with children of this age group which may include full time student teaching.

Aides must be at least 14 years old and reliable.

The educational supervisor or consultant should be a graduate of an accredited college with work in child development or early childhood education; must have had 2 or more years' experience teaching pre-school children. If an educational supervisor with these qualifications is not available, one having the above educational qualification and at least 6 months teaching experience may be employed on a one year interim basis, at which time full compliance is required.

Staff, both paid and volunteer, shall be assigned exclusively to infant care and should have no other duties in a facility housing older children. At least one person over the age of 18 must be in charge of infant groups at all times.

All infant care staff members including volunteers must be at least 16 years of age, and shall have experience and/or training in the care of infants.

A public health nurse must be requested to visit the center on a weekly basis, and more frequently if necessary, for consultation with the staff responsible for infant care. (This requirement may be waived where a registered nurse is a full time or part-time member of the center staff on a regular basis.)

All paid and regular volunteer members of the staff must have a physical examination and TB test prior to employment and annually thereafter.

5. Facilities

All state and local health and safety regulations shall be met. This includes written certification from the appropriate authorities regarding fire inspection, safety inspection, sanitation, conformance with plumbing, building, zoning, and housing codes, including the approval of water and sewerage systems.

All aspects of sanitation are subject to the Division of Physical Health regulations.

Major alterations or changes in housing or in use of rooms must be reported to the Division of Social Services prior to making such alterations or change.

Expansion of the center must be approved by the Division of Social Services and a new license issued for the appropriate capacity.

Under established licensing procedures, the Division of Social Services will conduct evaluations prior to licensing and renewal of license.

Only areas having at least 2 exits to the ground level shall be used for children. Basement rooms entirely below ground level may be used only for play periods and not for resting or sleeping. Exceptions may be made only with approval from the Building and Fire Inspectors.

Infants shall be housed on the ground floor.

A minimum of 35 square feet of useable floor space shall be provided for each child exclusive of non-play areas.

Each floor of a nursery or day care center shall be equipped with fire extinguishers as recommended by the fire marshal.

Any center that admits older children (6 years of age and over) shall provide separate, appropriate facilities and programs for them if their presence reduces the effectiveness of the program for the younger children.

There shall be at least one available telephone in the center.

There shall be individual cots, cribs, beds or approved sleeping mats provided with individual bedding sufficient to maintain warmth.

Upon detection of disease, provision shall be made for an area suitable for temporary isolation of ill children . . .

For all children cared for for a period of eight hours a minimum of three feedings shall be furnished. Meals shall be planned to provide a minimum of two-thirds of the child's total daily nutritional requirements. Consultation with a trained nutritionist is required at least annually by the Division for Licensing.

6. Special Notes

Insurance carried must include liability coverage and should include, but not be limited to, workman's compensation, fire and furnace coverage.

Centers agreeing to receive purchase of care funds from the Division of Social Services for more than 10% of their capacity shall comply with the additional requirements for centers receiving federal funds. These are essentially the Federal Interagency Day Care Requirements.

Other provisions of the Delaware Code (Title 31, Sections 387-394) relate to child day care centers for children from infancy through 6 years of age. These sections cover state-operated day care centers and state grants-in-aid for operation of day care centers.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

Community Standards Division
Bureau of Special Services
Community Health Services Administration
Department of Human Resources
Government of the District of Columbia
801 North Capitol Street
Washington, D. C.

2. Legal Reference

"Requirements to Be Met by Places, Other Than Foster Family Homes, Giving Care to Children (Day Nursery, Nursery School, Boarding School, Day School and Other)" Regulations as adopted by the Commissioners of the District of Columbia January 7, 1924, as amended through April 18, 1963.

No person, corporation, or association may establish or maintain a day nursery, nursery school, boarding school, boarding house, foster family home, home, or other place within the District of Columbia for the reception, board, or care of a child or children under 15 years of age without first obtaining a permit from the Director of Public Health.

Any institution, establishment, or place other than a foster family home where children under 15 years of age are received at one time for temporary guardianship or care during any part of the day or night, apart from their parents or guardians, will be known as a Place Other Than a Foster Family Home for the Care of Children.

The term "foster family home" means a family home maintained by an individual or individuals in which a child or children under 15 years of age is/are received for part or full-time board or care, provided that such child(ren) is/are not related to such individual(s) within the fourth degree of kinship by blood or marriage, nor adopted by such individual(s), nor under the duly appointed guardianship of such individual(s).

3. Children Eligible, Adult/Child Ratios and Group Size

No child should be admitted to an establishment without a complete physical examination by a registered physician.

No child over six months and under twelve years of age should be admitted unless such child has been given toxoid inoculation for the prevention of diptheria.

No child over two years of age should be admitted unless such child has been vaccinated for the prevention of smallpox.

Normal and handicapped children should not be admitted to the same establishment without prior approval from the licensing authority.

The required staff/child ratios are:

Age	Adult/Child Ratio
18 mos. and under	1/6
18 mos. to 6 years	1/10

There should be at least two persons in attendance with any group of more than 10 children over 6 years of age at all times. These attendants should be in addition to anyone who is assigned to domestic duties.

4. Professional and Other Qualifications for Staff

Evidence must be submitted to show that:

The director, or superintendent, is a person of good character, and is fitted by training and/or experience in the care of children, is interested in children, and is suited to this type of work;

All persons employed by an establishment to be in direct contact with children are of good character and fitted to this type of work.

It is required that all persons employed by an establishment be in good health: The director, superintendent, teachers, assistants, attendants, and all employees should have an annual health examination by a registered physician who submits a written report stating the person is free from tuberculosis, and other diseases in a communicable form, and is in good health. This report will constitute a certificate which must be placed on file in the establishment.

5. Facilities

Zoning, building, and fire regulations must be complied with. These regulations will be explained by representatives of the responsible authorities on inspection of the location of the proposed establishment. All regulations included in the Building Code relative to habitable space shall pertain to child care establishments.

Protection at windows, doorways, and stairways is required: Screens must be provided for all windows and outside doors; and low windows and stairways used by children must be approved as safe by the Health Services Administration.

Representatives of the Bureau of Maternal and Child Health and/or the Bureau of Food and Public Health Engineering will inspect establishments before the recommendation is made that a permit be given, and at regular intervals thereafter.

The Director of Public Health is also vested with inspection rights to secure enforcement of regulations governing day care centers.

No room which is more than one-third below the surface of the ground may be used for care of children.

Adequate indoor space suitable to the purposes for which it is to be used is required: A minimum of 35 square feet per child, accepted for day care, exclusive of bathrooms, closets, halls, kitchen, and storage place, should be available.

Suitable space is required for outdoor play: This space must be free from conditions which are or may be, dangerous to the life or health of children; and should be exposed to the sun, with some shade, and a minimum of 60 square feet per child should be available.

A temperature of 65^{o} to 70^{o} should be maintained in all rooms used by children.

Every room used for sleeping, eating or recreation must have at least one window opening onto a yard, court or street.

At least one flush toilet should be provided for every ten occupants and toilet seats preferably should be of the U-shaped type. At least one lavatory with running water should be provided for every ten children, when toilets and lavatories are not of a height and size so as to be easily used by children without assistance, blocks or steps should be provided; individual clean cloth towels, or paper towels, must be provided; individual clean cups for drinking water must be provided.

There should be an adequate number of tables, and a chair for each child, toys and play apparatus must be safe and kept in good condition, and of readily washable material, there should be outdoor play equipment suitable to the ages of the children.

Individual cots must be provided for children under the age of five who are cared for more than six hours.

An arrangement for the isolation of a sick child is required:

> In establishments offering day-time care only, if a separate room is unavailable, some other provision for adequate isolation should be made, basic first aid supplies must be kept on hand at all times.

In all day establishments, a lunch consisting of food adaptable to the ages of the children must be provided, with the following requirements: Only wholesome foods should be served, foods must be properly protected, proper facilities must be provided for washing and sterilizing of all dishes and other cooking and eating utensils.

6. Special Notes

D. C. regulations relating to day care center operations are currently under revision.

1. Licensing Agency and Contact

Division of Family Services
State of Florida Department of Health and
Rehabilitative Services
5920 Arlington Expressway
P. O. Box 2050
Jacksonville, Florida 32203

Mrs. Estelle Brock
Supervisor, Day Care Unit
Bureau of Children's Services

2. Legal Reference

Chapter 21013, Laws of Florida 1941. (Counties with population over 267,000).

Chapter 26065, Laws of Florida 1949. (Orange County).

Minimum Standards for Child Care Programs [revised June 1970] (DHRS), 1971.

No person other than a relative or a person who is considering the adoption of a child in the manner provided for by law, and no institution, firm, organization, corporation, association or society may receive any child under seventeen (17) years of age for boarding or custody away from the parent or guardian of such child, and no person, firm, organization, corporation, association or society shall operate any boarding home, nursery, institution, or similar enterprise for the care of children away from their own parents or guardians, unless such a person, firm, organization, corporation, association, or society shall have first procured a license from the State Board[1] empowering or authorizing such person, firm, organization, corporation, association, or society to care for, receive or board a child or children. . . (Sec. 2, Ch. 21013, Laws, 1941).[2]

The provisions of neither the 1941 Act nor the 1949 Act apply to any school, college or other institution subject to regulation by any governmental agency.

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[1] Under July 1969 government reorganization, all responsibilities of State Welfare Board delegated to Division of Family Services.

[2] 1949 Act (Ch. 26065) contains similar provision.

> . . . A program which provides care for children for more than a total of four hours per day on a regular basis is subject to licensing by the Division of Family Services and will be referred to as a child care program or simply "program", even though it may be known as day nursery, kindergarten, nursery school, play school, day care center or otherwise.
>
> Programs not subject to licensing by the Division are:
>
> (1) A program for preschool children ages 2 years to school age, conducted for a period of less than four hours per day.
>
> (2) A program providing education for school age children that has a full day educational curriculum.
>
> (3) A child care program subject to regulation by another governmental agency unless their regulations so stipulate.
>
> (4) A child care program located on property of the United States Government except one located in a federal housing project.
>
> "Day Care" is a service providing care for more than four hours on a regular basis which supplements for the child, in accordance with his individual needs, the daily care, educational opportunities and health supervision his parents can provide. The primary purpose is to care for and protect children. . .
>
> "Group Day Care" serves groups of six or more children. It utilizes subgroupings on the basis of age and special need but provides opportunity for experience and learning that accompanies a mixing of ages. Group day care centers may enroll children under two years of age only if special provisions are made for the needs of the infants to be consistently met by one person, rather than a series of people; and which permits the infant to develop a strong, warm relationship with one mother figure. . .
>
> "Combination Programs" are programs where more than five children are in care, and part of the group consists of infants.
>
> "Infants" are children under two years of age.
>
> "Adults" are persons 21 years of age or older. However, under approved circumstances and strict supervision, persons 18-21 years of age with appropriate education and training and/or experience may qualify to serve as a staff person.

Child care programs are subject to licensing by the Division of Family Services only in Dade and Duval Counties (under Ch. 21013, 1941) and in Orange County (under Ch. 26065, 1949).

(The requirements summarized below are applicable to both day care centers and family day care homes.)

3. Children Eligible, Adult/Child Ratios and Group Size

Each child at the time of enrollment in a child care program must have a written statement from a registered physician or a health certificate issued by a Health Officer pronouncing him free of communicable diseases and noting any major physical or mental defects. This examination should have taken place within the year prior to his admission to the program and renewed annually thereafter. This applies to all children in the program, including the operator's own children. Health certificates are transferrable from one program to another. Immunizations appropriate to the child's age should be kept current for each child.

Child care programs may on occasion enroll physically or mentally handicapped children upon the approval of a physician.

The number of adults on the staff of a child care program must not be less than as follows:

No. of Infants or Children			No. of Adults
Infants to 2 yrs.	2 through 5 yrs.	6 yrs. & over	
1-5	1-10	1-15	1
6-10	11-20	16-30	2
11-15	21-30	31-45	3
16-20	31-40	46-60	4

and so forth on the basis of one adult for every five infants or less; one adult for every 10 preschool children or less; and one adult for every 15 school age children or less; including the operator and staff's own children in each age group. In groups which include handicapped children, additional staff may be required.

When the outdoor play area is in use there must be one staff member to supervise every five infants or less, one staff member to supervise every 10 preschool children or less; and one staff member to supervise every 15 school age children or less. At no time are children to be left unsupervised in the outdoor play area.

All child care programs with a usual attendance of from one to ten children who are under the supervision of only one adult must have specific plans to follow in the event of an emergency. That is, there must be a definite written agreement where-by an adult is continuously and readily available to relieve the one in charge if the latter has to be absent or to assist her if the situation demands it.

Children must not be left without responsible adult supervision at any time.

4. Professional and Other Qualifications for Staff

The personnel of a child care program shall be qualified through training and experience to provide good physical care, maintain responsible supervision and provide meaningful experiences to promote the total development of the children enrolled.[1]

Persons caring for infants should be qualified by training or practical experience in the care of infants and young children. They must be neat and clean in personal appearance, cheerful, friendly and well disposed toward children.

The operator and all personnel of a child care program or family day care home and all members of the operator's family or other persons living on the premises must be of good character and must have no personal habits or handicapping infirmities which will have a detrimental influence on the children in care.

At all times, one responsible adult must be designated in writing as being "in charge". The adult regularly and directly in charge of a child care program must not be otherwise engaged during program hours. The owner(s) and/or the person in charge of the child care program shall be prepared to furnish the names of three reputable citizens who are willing and able to serve as references with respect to their qualifications.

Volunteers and aides may be used to assist the adult responsible for a group of children. Teenagers are often highly successful in working with younger children, but caution should be exercised in giving them supervisory responsibility over their peers.

Programs enrolling physically or mentally handicapped children in combination with normal children shall have a minimum of one adult staff member qualified to understand and work with handicapped children.

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[1] See also definition of "adults" in section 2.

The person supervising the food service should be able to speak, read, write and understand English. This person should have instruction in: nutritional needs of children; quantity food preparation; safe and sanitary methods of food storage, preparation and service.

Regularly scheduled consultation from a nutritionist, registered dietitian or other person with suitable training in food and nutrition should be utilized.

For the protection of children all personnel associated with the child care program must have an annual chest x-ray and blood test to show proof that they are free of tuberculosis and communicable disease. A tuberculin test in lieu of a chest x-ray may be acceptable. This applies to all persons, employed or volunteer or living on the premises. These x-rays or tuberculin tests and blood tests may be done under the supervision of a Health Officer or other licensed physician. In addition, if indicated, a physical examination report signed by a licensed physician can be required stating that the person is capable of caring for children.

All operators or persons in charge of a facility, 65 years of age or older shall be required to have an annual physical examination report signed by a licensed physician stating that they are physically, mentally and emotionally capable of providing responsible care and supervision of young children.

No person suffering from a communicable disease or suspected of being a carrier of organisms that may cause a communicable disease shall be employed in food preparation and service.

The management of a child care program shall have in its possession for each employee engaged in food preparation or service, a written certificate from a health officer or a registered physician, stating that the employee has been thoroughly examined and found to be free from any disease in a communicable stage. Such certificate shall show the date of examination and shall not be accepted after a period of one year from that date.

5. Facilities

Where requirements of local codes are more stringent than requirements as stated in the Minimum Standards, the requirements of the local code must apply.

Water for a child care program shall be secured from an approved public or approved private water supply where available, provided, that this requirement shall not prevent child care programs from using their own private water supply where they comply with applicable provisions of the State Sanitary Code covering approved public water supplies.

Piping for the distribution of water shall be in accordance with the chapter on Plumbing of the Sanitary Code.

Sanitary drinking fountains, if used, shall comply with specifications outlined in the Sanitary code. . .

. . . The adequacy and sanitation of bathroom facilities. . .is a primary concern of the State Division of Health based on the Sanitary Code of the State of Florida.

Where a public sewage system is not available, the building's sewer from a child care facility must discharge into a septic tank or other approved sewage systems in accordance with applicable provisions of the State Sanitary Code. This effluent shall not be discharged into any streams or waters of the State without further treatment except with the permission or approval of the State Division of Health.

Waste water from refrigeration shall be properly disposed of in accordance with the State Sanitary Code.

The food preparation and food service area shall be provided with adequate toilet and hand washing facilities for its employees which shall conform with the applicable provisions of the State Sanitary Code.

Reconstituted milk may be used for cooking. Unless there is a change in the present law (Sanitary Code of Florida, 1962) it cannot be used as a beverage unless it is cooked.

All milk, fluid milk products, ice cream and other frozen desserts shall be from approved sources.

There must be adequate provision for the proper preparation, sterilization and storage of formulae, nursing bottles, nipples as well as other food and utensils in keeping with local health requirements.

Provisions must be made in accordance with the local health requirements for the sanitary care of diapers, sheets, cribs, bedding, towels and clothing, etc.

All pools must be fenced separately and must meet local health requirements as to sanitation and safety.

An annual inspection is required in accordance with State Fire Marshal's Rules and Regulations.

Each child care program must pass a sanitary and safety inspection before it can be licensed and an annual inspection before it can be relicensed. This inspection is made by the designated representative of the local health agency and is based on the Sanitary Code of the State of Florida.1/

The decision of whether or not a child care program complies with the Minimum Standards for Child Care Programs is based on a study of the program by a representative of the Division of Family Services and on the findings of required inspections. Licenses are re-issued annually on the same basis. (The State Director of the Division of Family Services. . .may delegate the responsibility for the study and inspection of child care programs.)

The capacity of indoor play space must be 25 square feet per child of usable space. Indoor play space for children under two years of age must be completely separate from designated areas of older children.

All children must play in the fenced outdoor play area. The capacity of the fenced outdoor play space must be a minimum of 40 square feet per child of usable space. There must be a gate in the fence to provide access away from the building in case of fire or other emergency. The gate may only be secured with a device that can be opened immediately in case of emergency.

The outdoor play space for children under two years of age must be fenced separately from play areas designated for older children.

All rooms used for children must have an adequate amount of light.

1/ Applicable parts of the code (Rules of the State Division of Health: The Sanitary Code of Florida) are incorporated in summary in the Minimum Standards.

Heating and ventilation and lighting facilities must be adequate for the health of the children Provision must be made for maintaining room temperature of 68 degrees F. to 72 degrees F. at 2 feet from the floor throughout the building when the outside temperature is 68 degrees or less.

There must be at least one lavatory and one toilet and an arrangement for bathing of children.

No. of Children	No. of Lavatories & Toilets
1-15	1
16-30	2
31-45	3

and so forth on the basis of one lavatory and one toilet for every fifteen children.

There shall be at least one (1) telephone, not a pay station or locked telephone, on the premises and such additional telephones or extensions as may be required to summon help promptly, in case of fire or other emergencies

The operator must show proof that all cats, dogs and other pets on the premises have received proper inoculations against disease and are otherwise protected from health hazards.

Each child must have his own cot or bed, covered with his own sheet or comparable cover and blanket if needed, which shall be kept reasonably clean. Mats, pallets or the like are not acceptable for napping.

A clearly defined space or area appropriate for the isolation of children (who arrive ill or become ill while at a child care program, or who are suspected of having a communicable disease) must be designated as the isolation area or room to be used upon need.

Food served to young children in child care programs shall be sufficient in quantity and quality to meet the nutritional needs and cultural food habits of the children. The kind and amount of food served should be based on the current National Research Council Recommended Dietary Allowances for the appropriate age groups. All child care programs must furnish a daily noon meal and snacks which are well balanced, appetizing, varied and sufficient for the children's nutritional needs.

Sandwiches may be served for lunch or supper no more than once a week as a part of a nutritionally adequate meal.

Breakfast should be served to all children arriving before eight o'clock A.M. and/or to children who have had no breakfast at home.

For children in child care programs for 5 to 8 hours, foods to provide 1/3 to 1/2 of the amount of Recommended Dietary Allowances are to be offered in 1 meal and 1 to 2 snacks.

For children in child care programs for more than 8 hours, foods to provide 1/3 to 1/2 of the amount of Recommended Dietary Allowances are to be offered in 2 meals and 1 to 2 snacks.

. . . Caution must be observed to avoid serving food too hot, or to allow food to stand for long periods of time and become too cold to be palatable.

Provision shall be made for any child who has a special diet prescribed by a physician for a condition such as allergy, diabetes, phenylketonuria, etc.

Infants shall be fed at pre-determined intervals according to their nutritional needs and in accordance with accepted pediatric practices.

For infants in child care programs for 5 to 8 hours, foods that provide 1/3 to 1/2 of the amount of Recommended Dietary Allowances are to be offered in 1 or 2 bottles plus 1 or 2 feedings.

For infants in child care programs for more than 8 hours, foods that provide 2/3 to 3/4 of the amount of Recommended Dietary Allowances are to be offered in 2 or 3 bottles plus 2 or 3 feedings.

Parents will usually supply sufficient formula and foods for young infants.

6. Special Notes

7. Political Subdividions with Separate Licensing Regulations

Preschool educational and child care centers, that is, kindergartens, nursery schools and day nurseries located in the following counties and, in some of these counties, child boarding homes, must be licensed by the country health department:

Broward (Fort Lauderdale)
Collier (Naples)
Escambia (Pensacola)
Hillsborough (Tampa)
Lake (Tavares)
Lee (Fort Myers)
Leon (Tallahassee)
Brevard (Rockledge)
Manatee (Bradenton)
Martin (Stuart)
Okaloosa (Crestview)
Palm Beach (West Palm Beach)
Polk (Winter Haven)
Sarasota (Sarasota)
Volusia (Daytona Beach)

In the following counties licensing is performed by the county license board:

Pinellas (St. Petersburg)
Alachua (Gainesville)

The directors of county health departments or license boards are located in the cities listed in parentheses.

Most counties and cities require day nurseries, nursery schools and kindergartens to obtain a zoning permit and to purchase an occupational license.

1. Licensing Agency and Contact

Georgia Department of Family and Children Services
Division for Children and Youth
State Office Building
Atlanta, Georgia 30334

Mrs. Mary J. Gordon, (Day Care Advisory Committee, Advisory
Committee on Licensing) Consultant
Early Childhood Education
Department of Education
State Office Building
Atlanta, Georgia 30334

2. Legal Reference

Georgia Code Annotated, Section 99-214.

Minimum Standards for Group Day Care Services, 1969. (Rules of Georgia Department of Family and Children Services, Division for Children and Youth).

Child welfare agency shall mean: child-caring institution, child-placing agency, maternity home, family boarding home, family day care home, and day care center.

Day care center shall mean: any place operated by a person, society, agency, corporation or institution, or any other group wherein are received for pay seven or more children under eighteen years of age for group care, without transfer of custody, for less than 24 hours per day.

3. Children Eligible, Adult/Child Ratios and Group Size

For every child admitted for care, there shall be on file a physician's statement indicating that the child is free of communicable or contagious disease. This shall be renewed at least annually (preferably every six months for the child under two years of age) and at any time the child's general condition indicates the need while the child is in care.

Record maintenance requirements provide that records of individual children include health information such as reports of required immunizations (diphtheria, pertussis, tetanus, smallpox, polio and measles).

The minimum teacher/child ratios in centers shall be as follows:

Age	No. of Adults	No. of Children
Infancy to 18 months	1	5 - 7
18 months to 3 years	1	8 - 10
3 - 4	1	10 - 15
4 - 5	1	15 - 18
5 - 6	1	15 - 20
7 and older	1	20 - 25

There shall be additional help available to each staff person caring for infants and toddlers.

There shall be two responsible adults available for supervision of children at all times that children are in attendence at the center; one of these adults shall be providing direct supervision of the children.

At no time shall a volunteer regularly replace a staff worker in order to maintain minimum standards of adult/child ratio.

4. Professional and Other Qualifications for Staff [1]

The director and/or owner of the day care center shall be a person of good character who has evidence of knowledge, through successful experience with young children and/or recent training, of the growth and developmental needs of children and who understands the role of day care in meeting the needs of children and families.

All staff members who have responsibility for planning and supervising children's programs or who are working with children shall present evidence of completing recent training (within three years) in the field of child care. It is advisable for all staff to have at least a high school diploma and experience working with children.

Persons giving care to children under 3 years of age shall have special knowledge about their care and shall participate in courses, workshops and institutes when these become available.

No person under eighteen years of age shall assume sole responsibility by children and there shall be at least one person 21 years of age or older in the day care center during the hours of service to children.

All staff shall have a physical examination prior to employment and annually thereafter. Staff over 65 years of age must have a physician's statement which notes that they are in adequate physical condition to cope with a group of children for the required number of hours each day.

Individual employee records are required to include the result of chest x-ray or skin test for tuberculosis, and when applicable, a current food handler's card.

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[1] See also Special Notes.

5. Facilities

The day care center shall meet all laws, regulations, rules and ordinances of State, local and Federal governments which apply to its operation.

The heating system. . .shall be approved by the State Fire Marshal.

Hallways must have exits which meet the approval of the State Fire Marshal.

Two-story or split level buildings shall be used only with the specific approval of the fire department.

Drinking fountains shall be of the type approved by the Georgia Department of Public Health.

The individual or agency planning the construction of a new center, remodeling, or adding to an existing structure shall first have plans approved by local building authorities and location approved by local zoning authority. To assure that the building will meet standards, plans for construction shall be submitted to the Division for Children and Youth for approval.

It shall be the duty of the Division (for Children and Youth) to inspect at regular intervals all licensed child welfare agencies within the State, to include all family boarding homes, foster family homes, and family day care homes used by such agencies. (Day care centers are a type of child welfare agency.)

Rooms lower than three feet below ground level on all sides shall not be used for children's activity program. Basement areas in excess of 25 lin. ft. of wall space from a window may not be used for the housing of children.

The indoor areas, room or rooms, used for the play, rest, eating activities of the children shall provide 35 square feet of useable space for each child present in the center.

The outdoor play space shall contain at least 100 square feet of useable play space per child in any group using the play area at one time. It shall be fenced or otherwise protected from traffic or other outside hazards.

Children's play rooms shall have outside windows and there shall be artificial lighting to provide 25 - 35 foot candle power in play areas where natural light fails to provide this intensity.

The following ratios of toilet facilities shall be provided:

No. of Children	Toilets & Lavatories
1 - 12	1
13 - 25	2
26 - 50	3
51 - 75	4
76 - 100	5
101 - 125	6
126 - 150	7
151 - 175	8

For toddlers, one flush toilet must be available. Two nursery chairs may be substituted for each subsequent required toilet.

There shall be a telephone in the day care center.

There shall be available one cot, a sheet, a lightweight cover, and one chair for each child enrolled. A waterproof mattress and linens shall be provided for each infant and individual crib.

There shall be set aside a quiet area in which no regularly scheduled activities take place. This area shall be used to care for the child who becomes ill at the center or for any child who needs an opportunity to be by himself.

Children who are in care five or more hours shall have one-third of their food needs met in the center; a nutritious mid-morning snack or breakfast, a noon-day meal (preferably hot), and a mid-afternoon snack. Children shall be served a minimum of 8 ounces of milk per day. For children under one year of age, the center shall secure a formula and feeding plan from the parents.

6 Special Notes

Non-Profit Organizations

> All day care centers sponsored by community organizations and/or all non-profit day care centers shall have a governing board . . . which shall be organized and shall function according to a constitution and by-laws. In a board sponsored community agency, the person appointed as administrator director shall have a Bachelor's Degree . . . with a major in early childhood education, child development, or related professional fields with emphasis upon training and experience with young children and three years of successful supervisory or administrative experience. Appropriate experience in the operation and direction of day care programs may be substituted for educational requirements. It is recommended that the director hold a Master's Degree and have five years of experience.
>
> Board sponsored centers are subject to minimum standards for group day care service as well as the additional requirements imposed by the Department.

The Department also provides a somewhat more stringent group of standards entitled "Desirable Standards for Group Day Care Centers " The text of these recommendations is contained in the same document which sets forth the minimum standards.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

State Department of Social Services and Housing
P. O. Box 339
Honolulu, Hawaii 96809

Miss Deborah Kau
Assistant Program Development Administrator

2. Legal Reference

Hawaii Revised Statutes, Sections 346-18 - 346-25.

Rules and Regulations Governing Group Day Care Centers, (DSSH), 1966

A day care center is a place maintained by any individual, organization, or agency for the purpose of providing care for a child or children with or without charging a fee during any part of a twenty-four hour day. The term day care center shall include any place where group care is provided for 6 or more children and any family home providing care for 2 to 6 children.

Organizations exempt from licensing requirements include kindergartens or schools conducted solely for educational purposes or specialized training; organizations established to conduct athletic or social group functions.

A group Day Care Center is a place maintained . . . for the purpose of providing group care for six or more children. The care will be provided with or without charging a fee during any part of a 24-hour day, regardless of the duration of operation.

The term "group Day Care Center" shall include day nurseries, nursery school groups, pre-school, child play groups, parent cooperatives, or other similar units operating under any name whatsoever.

3. Children Eligible, Adult/Child Ratios and Group Size

Children under two years of age shall not be accepted for care.

The center shall require a report of a physical examination by a licensed physician. Such examination shall have taken place within 90 days prior to the child's admission to the center. Children must have a physical examination at least once a year after admission to the center.

The center shall require verification of the child's birthdate.

At least one parent or guardian shall be interviewed prior to the child's admission to the center; the child shall be interviewed when possible.

The number of children per staff member shall not exceed:

No. of Children	Age
10	2-3 years
15	3-4 years
20	4-5 years
25	5 years and older

In any combination of two or more age groups, the maximum number shall be that of the youngest age group.

No limitation on group size is indicated.

There shall be a written plan as to how adult help can be obtained in case of emergency during such periods of time when there is only one staff member on duty at the Center.

4. Professional and Other Qualifications for Staff

The Director shall be defined as that individual whose prime responsibility is to administer the center and develop the total program. The Director shall have a Bachelor's Degree from an accredited college or university preferably with courses in early childhood education, child development or related fields and two years experience in working with children, or shall have had a combination of two years of college education and four years of experience in work with children.

The Teacher shall have either:

> A Bachelor's Degree from an accredited college or university with courses in early childhood development, childhood education and related fields.

Or, a Bachelor's Degree from an accredited college or university, supplemented by successful supervised teaching experience in a nursery-aged group.

Or, two years of accredited college work supplemented by or including professional training in preschool or early childhood education and supervised teaching experience.

Or, the teacher shall have successfully completed an in-service training program in preschool and early childhood education offered by a legally recognized sponsor, including supervised teaching experience with a nursery-aged group.

The Assistant Teacher shall have graduated from high school or education preferably in the field of health, child development and family relations; or maturity and experience in working with children.

Each center shall have at least one regular staff member who is a mature, responsible person between 18 and 65 years of age, capable of handling emergencies and accidents and trained in first aid.

At the time of employment and annually thereafter, all staff shall have a complete health examination.including a chest x-ray or tuberculin test . . . Volunteer workers need have only a chest x-ray or tuberculin test.

5. Facilities

The center shall be located in a safe and sanitary area and shall conform to laws and regulations of the State, City and County . . .

Buildings used for day care centers must meet certain standards (set forth in the regulations) relating to building construction and occupancy, and health and safety which conform to the construction standards of the current local city and county building ordinances; State statutes; and Rules and Regulations of the State Fire Marshal, Department of Health, and other government agencies having jurisdiction.

The Uniform Building Code of the Pacific Coast Building Officials Conference takes precedence except when county standards are higher.

Plans for any new buildings and alterations of existing buildings of day care centers shall be submitted to the Department for approval before any work is carried out.

The Department of Social Services and Housing must inspect facilities at least once a year or as frequently as necessary. Centers are also open to visitation and inspection by representatives of the Departments of Public Instruction and Health, and the Fire Marshal.

Basements used as centers must be dry with adequate drainage, light and ventilation.

For daytime care, there shall be a minimum of 35 square feet per child of indoor area, excluding bathroom, kitchen, cupboard space and hallways. For nighttime care the minimum shall be 50 square feet per child. A lanai which has a roof, is protected from the rain, and provides for safe activity, may be counted as indoor or outdoor space.

There shall be a minimum of 75 square feet of outdoor space available per child. The outdoor space shall be fenced or protected.

Centers that were in actual operation on the effective date of these regulations are exempt from the regulations governing outdoor space provided that the Department of Social Services is satisfied that this lack is not detrimental to the health, safety, and best interest of the children concerned.

There must be at least two exits (of the types specified) remote from each other on every floor or section of the building.

There shall be a minimum of one toilet and one wash basin conveniently located for every 15 children.

Individual cots or adequately insulated and protected bedding for all children who rest will be provided; individual beds for children who are at the Center during the night will be provided.

A child who becomes ill after he is admitted to the center shall be isolated from the rest of the group . . .

Centers caring for children through mealtime shall provide a balanced meal approximating Federal lunch standards Type A lunch containing at least one-half pint of whole or reconstituted milk; a snack consisting of juice or milk between meals.

6. Special Notes

Each center shall subscribe to a policy of liability insurance for bodily injury in the minimum amount of five thousand dollars per child and ten thousand per accident.

Exceptions to the regulations may be made at the discretion of the Department of Social Services and Housing.

7. Political Subdivisions with Separate Licensing Regulations

IDAHO

1. Licensing Agency and Contact

   Idaho Department of Public Assistance
   Box 1189
   Boise, Idaho

2. Legal Reference

   Idaho Code, Sections 39-1208 - 39-1224.

   Rules and Regulations for Implementation and Enforcement of Standards for Licensing Under the Child Care Licensing Act, 1963 - Day-Care Centers, (DPA).

   A day care center is defined as a home or place providing care to a group of 5 or more children for all or part of the 24-hour day.

   Day care is defined as foster care provided only during the day or certain hours during the day.

   A child is defined as a person under 18 years of age.

3. Children Eligible, Adult/Child Ratios and Group Size

   No day care center will be licensed to care for children under the age of thirty months.

   Children in day care centers should be grouped as follows:

   2 1/2 to 5 years
   6 to 11 years
   12 to 16 years

   Centers shall not be licensed for more than one age group unless there is an adult available for each group, sufficient space to keep the groups separate, and adequate facilities for their play.

   In groups of pre-school children, there shall be at least one adult for every ten children, and, if possible, a minimum of two adults for any group.

4. Professional and Other Qualifications for Staff

The individual in charge must have an understanding of the problems of childhood and sympathy for them. She must be of suitable age and temperament to care for children. She shall be a person of good character and habits. (Three satisfactory references, including the family physician will be required.) She must be of sound mental and physical health with no disqualifying defects. A report of good health from a regularly licensed physician may be required if this seems necessary or advisable.

5. Facilities

The operator shall have sufficient income and resources to comply with all requirements of the local Fire Department, Department of Health, and the city building inspector concerning construction, equipment, and maintenance of the center. . .

There shall be proper equipment for preparation, storage, and serving of food in accordance with the standards of the Department of Health.

If the water supply is obtained from a source other than a city water system, it must be approved by the Department of Health.

If the milk used is from the operator's cows, there must be continued assurance that the milk is handled in a sanitary way and that the cows are free from tuberculosis and Bangs disease. If the milk is purchased, it shall be pasteurized or shall come from a licensed raw milk dairy.

All day care centers must pass inspection by the local Fire Department.

Sanitation must meet standards of the Department of Health, and all centers must pass inspection by a sanitarian of the Department of Health.

The Department shall visit each child-care facility as often as it deems necessary or desirable, but in any event at intervals not to exceed six months, for the purpose of determining whether the facility consistently maintains conformity with the standards, rules and regulations . . .

The center should usually be on the ground floor. If above the first floor, there must be adequate provision for fire escape. Basement rooms must be dry, heated, lighted and ventilated, have adequate floor covering, be free from fire hazards and have adequate exits.

Indoors, there must be thirty-five square feet of available floor space per child, exclusive of halls, kitchen, etc.

Outdoors, there must be a minimum of seventy-five square feet for each child under the age of six and 100 square feet for each child of six years of age or older. Adequate fencing of play space will be required if there is any hazard to safety from which the child must be protected.

There shall be a minimum of one toilet for ten children and one wash basin for each seven children.

There shall be a sleeping room used for no other purpose during rest periods, with separate low cots for each child.

There shall be an isolation room for the complete isolation of any ill child suspected of having a communicable disease.

The diet shall be well balanced and adequate to meet the nutritional needs of children and shall be served at regular hours. (This shall include a substantial hot noon meal, midmorning and midafternoon snacks.)

6. Special Notes

7. Political Subdivisions with Separate Licensing Regulations

ILLINOIS

1. Licensing Agency and Contact

Division of Child Welfare
Illinois Department of Children and Family Services
528 South 5th Street
Springfield, Illinois 62706

Miss Nora E. English, ACSW
Coordinator, Licensing Services

2. Legal Reference

Smith-Hurd Illinois Annotated Statutes, Chapter 23, Sections 2211-2230.

Standards for Licensed Day Care Centers and Night-Time Centers, (DCFS), 1970.

A child care facility is any person, group of persons, agency, association or organization, whether established for gain or otherwise, who or which receives or arranges for care or placement of one or more children, unrelated to the operator of the facility, apart from the parents, with or without the transfer of the right of custody in any facility as defined in the Illinois Child Care Act of 1969, established and maintained for the care of children.

A day care center is any child care facility receiving more than 8 children for daytime care during all or part of a day. The term "day care center" includes facilities commonly called "child care centers", "day nurseries", "nursery schools", "kindergartens", "play groups" and "centers or workshops for mentally or physically handicapped" with or without stated educational purposes. The term does not include (a) kindergartens or nursery schools or other daytime programs operated by public or private elementary school systems or secondary level school units or institutions of higher learning; (b) facilities operated in connection with a shopping center or service, or other similar facility, where transient children are cared for temporarily while parents or custodians of the children are occupied on the premises, or are in the immediate vicinity and readily available; (c) any type of day care center that is conducted on federal government premises; or (d) special activities programs, including athletics, crafts instruction and similar activities conducted on an organized and periodic basis by civic, charitable and governmental organizations.

Child care centers are day care centers which receive pre-school or school-age children, or both, for short term or extended hours of care, or out of school hours, and which provides essential personal care, protection, supervision, training and programs to meet the needs of the children served.

Day nurseries are day care centers which receive pre-school age children for short-term or extended hours of care, and which provide essential personal care, protection, supervision, training and programs to meet the needs of the individual children served.

Nursery schools are day care centers which receive children between the ages of 2 and 6 years and which are established and professionally operated primarily for educational purposes to meet the developmental needs of the children served.

Kindergartens are day care centers which receive children between the ages of 4 and 6 years, and which are established and professionally operated primarily to conduct educational programs for early childhood development.

Play groups are day care centers which receive pre-school or school-age children, or both, for relatively short periods of time, not to exceed 3 hours per day for any child or group of children, and which provides services and programs designed to meet the recreational, physical, emotional and developmental needs of the individual children served.

Centers or workshops for mentally or physically handicapped are day care centers receiving mentally retarded or physically handicapped children, for short periods or extended hours, and which provide services and programs to meet the children's needs for care, protection and training.

A child is any person under 18 years of age.

3. Children Eligible, Adult/Child Ratios and Group Size

Each child, unless exempt for reasons prescribed, shall be given a thorough examination, and prescribed immunizations by a licensed physician, not more than four months prior to admission and at least once every two years thereafter (except in the case of school age children whose subsequent examinations shall be in accordance with requirements under the Illinois School Code).

The physician's report shall indicate that the child was found free of communicable disease, including active tuberculosis verified by a tuberculin skin test, or a chest x-ray if the skin test is positive, and that the child has been immunized against smallpox, measles, whooping cough, diphtheria, tetanus and poliomyelitis.

Application of the immunization program may be waived or modified for a child:

a) Who, for clinical reasons, should not be subjected to immunization;

b) In whose behalf parent or guardian has sought waiver on constitutional grounds. A center admitting such a child shall do so upon its sole responsibility.

Children under two years of age may be admitted only when conditions are favorable and as prescribed by special requirements for services to children in this age group.

A center receiving children six years of age and over must also comply with special requirements for services to older children.

A day care center, or night-time center if children are present for extended periods during normal waking hours, shall limit the group size and provide staff to give continuity of care and supervision to the children on a day-by-day basis. The maximum numbers of children, grouped according to ages, and the minimum staff required are as follows:

Age	Maximum Group Size	Minimum Number of Staff
Under 2 years	6	1
2 years old	8	1
3 years old	20	2
4 years old	20 - full day	2
	20 - half day or less	1
5 years old and above	25	1
3 to 6 (mixed)	20	2
2 to 6 (mixed)	15	2

No more than six two-year olds or nine three-year olds shall be included in a group of children of mixed ages.

A center which has space and is otherwise equipped may enroll one or two additional children in each group, three years of age or older, in order to compensate for absenteeism. Over-enrollment must be controlled so that the number of children generally in attendance does not frequently or consistently exceed the licensed capacity.

The small center, operating with only one regular staff member, shall arrange for a responsible person to assist with the children when needed. This must be a person, or persons, who can respond immediately to a call without the adult in charge leaving the children unattended.

4. Professional and Other Qualifications for Staff

The Director shall be responsible for duties ordinarily considered to be administrative. A child care worker shall be responsible for the planning and supervision of the activities of the children. The positions may be combined, according to the type, size and sponsorship of the center.

In a day care center, a newly employed or designated director or child care worker shall be at least 21 years old; shall have achieved a minimum of two years of college credits from an accredited college or university, or have a high school diploma or equivalency certificate, plus three years of experience as director or child care worker of a licensed child care facility, or experience in related fields of service involving children. If the party has a high school diploma or equivalent, he must provide proof of enrollment in an accredited university or college with a plan to acquire two years of college credit, including courses concentrating on early childhood development.

Assistants to child care workers shall be at least 18 years of age and have a high school diploma or equivalent, or certificate showing successful completion of an approved course of study and training and child care.

Student helpers shall be at least 14 years of age and at least 5 years older than the oldest child with whom they work. They will be under the direct supervision of a qualified director or child care worker and shall not substitute for regularly employed staff.

There shall be sufficient service staff so that assignment of service duties shall not interfere with the child care staff's responsibility for the direct care of the children.

Volunteers may be assigned to assist in any capacity if they meet the qualifications required for the position.

Professional staff (teacher, physician, nurse, caseworker, councelor, nutritionist, dentist, psychologist, etc.) employed or retained by the center, shall have achieved the prescribed standards of their respective professions including required certification or license to practice, and shall be qualified otherwise, to perform satisfactorily the services expected of them in a child-centered program.

Each member of the staff and substitute shall have a complete examination within six months prior to employment and at least every two years thereafter. Such examination must include a tuberculosis examination.

Volunteers must meet the same health requirements imposed upon employed staff.

If the center is conducted in a private home and children use common facilities, such as bathroom and kitchen, with members of the household, each member or employee of the household, who comes in direct contact with the children, shall be subject to the same medical examination requirements imposed upon other persons in the center.

Food handlers may be required to have other tests, in addition to routine examinations, because of local ordinances or the examining physician's findings.

5. Facilities

A person or organization proposing to establish a new center, or to relocate, or to undertake major remodeling of buildings housing a child care program, shall submit building plans to the Department and to any other governmental authority, State or municipal, which requires prior approval. This shall be prior to housing a new program in existing buildings; prior to construction of new buildings for an existing program; or prior to major remodeling of facilities housing and on-going program.

There shall be no child occupancy of a newly established center, new premises, new buildings, or of buildings undergoing major remodeling, without a temporary permit or full license issued by the Department. Zoning and other necessary clearances, including licenses, required under municipal ordinances, must be obtained before a permit or license will be issued.

The building housing a center shall be approved by the proper health and fire authorities and comply with State and local public health safety codes. Centers serving ten or fewer children, in family residential facilities, shall have an initial inspection and clearance through the local fire department, services of a reliable insurance underwriter, or the State Fire Marshal. Routine annual inspections for such premises may be waived unless there are obvious or questionable hazards or other conditions necessitating periodic inspections, or are specifically required under municipal ordinance.

If water is obtained from sources other than an approved public supply source, it shall be approved by local or state health authorities.

The Department, its agent, must re-examine every child care facility for renewal of license, including the examination of the premises and records of the facility as the Department considers necessary to determine that minimum standards for licensing continue to be met.

It is recommended that the center be located on the ground floor whenever possible.

Children under 2 must be cared for in an area separate from older children and which is arranged so that no more than six infants are in one unit.

There shall be a minimum of 35 square feet of activity area per child in centers for normal children two years of age and older; 45 square feet per child in centers for ambulatory handicapped children over two years of age; and 25 square feet of space per child in units for children under two years of age. Space must be useable and exclusive of exit passages and fire escapes, kitchen, storage areas, etc.

There shall be a minimum of 75 square feet of safe outdoor play area per child for the total number of children using the area at any one time. It shall be safely enclosed or otherwise protected from traffic and other hazards.

A temperature of no less than 68° F., within two feet of the floor, shall be maintained indoors. Areas where children read, paint, or participate in other activities requiring close eye work, shall be provided with a minimum of 50 foot candles.

Provision shall be made for proper cleansing and sterilization of dishes and storage of food in the kitchen in accordance with public health standards.

The following ratio of toilets and lavatories shall be provided:

Number of Children in Center	Toilets and Lavatories
1 to 10	1
11 to 25	2
26 to 50	3
51 to 75	4
76 to 100	5
101 to 125	6
126 to 150	7
151 to 175	8

A telephone shall be provided on the premises.

Small, healthy animals may be permitted on the premises unless prohibited under local health ordinances. A qualified veterinarian shall certify that the animals have been inoculated, when required, or otherwise are free of diseases that could endanger the children's health.

Children who remain for as long as four consecutive hours, in a day care center, shall have at least one supervised rest period, and there shall be a supervised nap period for children, under six years of age, who remain five or more hours.

Both day care and night-time centers shall provide a separate crib, bed or cot and individual sheets and other bedding, except, in a night-time center, two siblings between two and ten years of age, or two older brothers or two older sisters, may share a full-sized bed.

Cots, cribs or beds used by children in a day care center may be used for other children at night, if a facility is licensed to conduct both a day care and night-time center, and if separate sets of clean sheets and other bedding are provided each user, and cots, cribs or beds have been well aired and freshened between uses.

If washable rugs or mats are used for short rest periods in part-day programs, they shall be used in conformity with requirements prescribed by local health departments.

Suitable space shall be provided for a child who becomes ill at the center. Such space shall be adequately ventilated and heated, and equipped with a cot and materials that can be easily sanitized.

In a day care center children in attendance for more than two, but less than five hours shall be served a mid-session snack consisting of one-third to one-half cup of pure fruit juice, or properly processed canned or frozen fruit juice with high citric content; or one-third to one-half cup of whole milk; or one serving of fruit with high citric content.

Children in attendance five to ten hours shall be served at least one-third of their daily food requirements which shall include a well-balanced, nutritive hot meal. Occasional picnic-type meals may be substituted for a main hot meal. Mid-morning and mid-afternoon snacks consisting of fruit, fruit juice, or milk as prescribed above, shall be included.

Formulas and foods for children under two years of age shall be provided according to individual needs, including medically prescribed formulas or diets.

6. Special Notes

Centers in operation at the time the 1970 revised standards were adopted as Department regulations have two calendar years from the date of adoption to achieve compliance with revised or new standards which require major changes in organization and administration, staffing, services to children, and physical plant and facilities.

As indicated in the preceding sections of this summary, the State also issues licenses for night care facilities which are defined as centers or homes in which children are received for periodic care during the night when a single parent, or both parents, are absent from home because of employment, emergency or other reasonable circumstance, and the children are in need of supervision during sleeping hours. A facility may be licensed for either day care or night-time care, or both if circumstances permit, and whether the same children are served according to the work shifts of their parents or other circumstances.

A night-time center is a facility which is established to receive 9 or more children, but not to exceed 20 children, for night-time care.

The minimum standards cited above apply both to day and to night centers, in most respects. The premises of a licensed day care center, operating a full day care program, ordinarily would meet the requirements for a night-time center, particularly with respect to the general physical plant facilities, equipment, furnishing, and such. Therefore, license may be sought to conduct a night-time center at the same location as a day care center, using the same equipment and facilities provided for the day care program, under circumstances prescribed in the regulations.

7. Political Subdivisions with Separate Licensing Regulations

Chicago
Danville
E. St. Louis

1. Licensing Agency and Contact

Indiana State Department of Public Welfare
100 North Senate Avenue, Room 701
Indianapolis, Indiana 46204

Miss Mary Ottinger
Acting Licensing Supervisor

2. Legal Reference

Burns' Annotated Indiana Statutes, Sections 42-1305 - 42-1319.

Minimum Requirements and Recommended Standards for Day Care Centers, 1964, (DPW).

It shall be unlawful for any person, firm, corporation or association to operate, maintain, or conduct a boarding home for children, a day nursery, a children's home or child caring institution or to engage in or assist in conducting a business of placing children as herein defined, without having in full force a written license therefor from the State Department of Public Welfare. Provided, that nothing in this act shall apply to any state institution maintained and operated by the State.

A day nursery is defined as any institution operated for the purpose of providing care and maintenance to children separated from their parents or guardian or person in loco parentis during a part of the day for two or more consecutive weeks excepting a school or other bona fide educational institution.

The licensing law does not include provisions for licensing "nursery schools" or "kindergartens;" therefore, the Minimum Requirements are not intended to pertain to those facilities.

3. Children Eligible, Adult/Child Ratios and Group Size

The day nursery shall not admit a child less than 3 years of age. The day nursery shall not admit a child less than three years of age, nor a child three years of age or over whose needs it obviously cannot meet or whose presence would be undesirable or dangerous for other children in the day nursery.

Each child shall receive a health examination from a physician within four weeks prior to admission to the day nursery. The examination must include:

Health history;

Physicial examination;

An intradermal tuberculin skin test and/or chest x-ray, if necessary;

Such x-ray or laboratory procedures as are determined to be necessary by the examining physician;

A certification that the child is currently immunized in accordance with an immunization program approved by the State Board of Health. Such program shall include but not be limited to immunization against smallpox, diphtheria, whooping cough, poliomyelitis, and tetanus. An exception may be made, however, when the physician considers immunization to be a hazard to the child.

Health examinations of children, the same as required on admission, shall be repeated annually and whenever the day nursery's physician or the director shall have reason to suspect that a child participating in the program may have a condition hazardous or potentially hazardous to others, or finds that the child's general condition indicates the need for such examination.

The parent shall provide a written statement at the time of admission that the child has not to his or her knowledge been exposed to a communicable disease within the previous three weeks.

The maximum number of children in the day nursery per staff member supervising them shall be as follows:

Age	Adult/Child Ratio
3 years old	1/10
4 years old	1/12
5 years old	1/15
6 years or older	1/20

Where there is a combination of ages within a group the number of required staff shall be determined on the age of the youngest child.

Maintenance and clerical persons shall not be included in determining the number of staff required for supervision of children.

In no instance shall a day nursery operate with less than two staff members, one of whom shall be free from housekeeping or cooking responsibilities while in charge of children.

4. Professional and Other Qualifications for Staff

The director shall be responsible for the operation of the day nursery at all times. During his necessary absence, a responsible staff member shall be designated to be in charge.

A person in charge of a day nursery at any time shall be at least 21 years of age.

In day nurseries licensed for more than 30 children the Director shall have completed four years of training in an accredited college or university with courses in early childhood education or related fields; or shall have had work experience or a combination of education and experience that provides preparation equivalent to the college trained.

In day nurseries licensed for 30 children or less, the Director shall have completed at least two years of training in an accredited college or university with courses in early childhood education or related fields; or shall have had work experience providing equivalent preparation.

The qualifications of a director who does not meet the full educational requirements for his position shall be subject to approval by the State Department of Public Welfare.

In day nurseries licensed for more than 30 children, the Head Teacher or other person responsible for planning and supervising the activity of the children and promoting the development of teaching staff, shall have completed at least two years of training in an accredited college or university with courses in early childhood education or related fields; or shall have had work experience that provides preparation equivalent to the college training.

In a small day nursery one staff member may carry multiple responsibilities. The director and the head teacher may be the same person provided that such person meets the qualifications for both positions

Any person serving as director or any person employed in the position of head teacher on the effective date of the rules and regulations is exempt from the specific educational requirements for his position.

Teachers shall have a minimum of a high school education except for the person who has been employed for one year or longer as a teacher prior to the effective date of this rule is exempt from the educational requirement.

Day nurseries which enroll 10 or more school-age children shall have at least one staff member who is qualified by training and experience in group activity to work with this age group.

Professional staff members other than teachers, such as social workers, nurses, and psychologists should meet state licensing requirements, if any, or the minimum professional standards for their professions.

Volunteers shall meet all the requirements and qualifications of the positions to which they are assigned.

No person shall be permitted to perform any services in the day nursery until he has furnished the day nursery with a statement from a physician that he is free from all medical conditions which might be harmful to children including venereal and other communicable diseases, and that he is currently immunized in accordance with an immunization program approved by the State Board of Health. Such program shall include but not be limited to immunization against smallpox, diphtheria, poliomyelitis, and tetanus. Each such person is required to have a health examination immediately prior to entering the service of the day nursery and annually thereafter or more frequently as required by the day nursery physician. Immunizations shall be renewed as is necessary to maintain proper immunization against smallpox, diphtheria, poliomyelitis, and tetanus.

All such health examinations shall include:

The individual's health history;

A physical examination including such x-rays and laboratory procedures as are determined necessary by the examining physician;

An intradermal tuberculin skin test if the last previous test is known to be negative or if there is no record of a previous test. Where the intradermal tuberculin skin test is known to be positive the individual shall have a chest x-ray negative for active tuberculosis. . .

5. Facilities

Any structure in which a day nursery is located shall meet the requirements of the State Board of Health, State Fire Marshal, and Administrative Building Council, and of the building codes and zoning ordinances of the community in which the day nursery is located.[1/]

The kitchen and any other food preparation areas and equipment shall comply with the requirements of State Board of Health Regulation HFD 17.

An adequate water supply of a safe, sanitary quality shall be obtained from a water source or system approved by the State Board of Health.

Any private sewage treatment system shall meet the requirements of the State Board of Health.

New plumbing equipment shall meet the requirements of the State Board of Health and the Administrative Building Council.

Heating and ventilation shall comply with the heating and ventilating code of the Administrative Building Council.

The furnace room shall be constructed in accordance with the rules and regulations of the Administrative Building Council, and shall be subject to the State Fire Marshal's approval.

[1/] See also "Special Notes" below re 1971 amendments to licensing law.

All fire extinguishers shall be approved by the State Fire Marshal.

All wiring in the building shall comply with the provisions of the National Electrical Code and shall be approved by the State Fire Marshal.

All gas equipment and appliances in the building occupied by the day nursery shall comply with the standards of the American Gas Association Code, which is adopted as part of this regulation by reference thereto. The rules and regulations on liquefied petroleum gas of the State Fire Marshal shall be fully complied with.

All flammable liquids. . .shall be stored on the premises only in such quantities and in such rooms as are approved by the State Fire Marshal.

The installation of fire escapes and of exit lighting and signs shall be determined and approved by the State Fire Marshal.

Prior to construction of any new building, conversion of an existing building, major alteration or addition thereto, structural plans of such buildings certified by a professional registered architect or engineer within the State of Indiana shall be submitted in triplicate to the State Department and approved by the State Board of Health, State Fire Marshal, Administrative Building Council, and State Department.

No day nursery shall be located in any building that is not provided with at least two exit doors which open in the direction of exit travel and directly to the outside from the first floor of the building. . .

The State Department of Public Welfare and State Board of Health shall annually and may at any time, visit and inspect or designate a person to visit and inspect the premises so licensed. The State Department of Public Welfare shall have the authority at any time to investigate and examine into the conditions of any home or other place in which a licensee receives and maintains or places out children and shall have the authority at any time to examine and investigate the books and records of any licensee. The State Board of Health shall visit or designate a person to visit any licensee to advise on matters affecting the health of children, such as diet and medical care and to inspect the sanitation of the buildings used for their care.

The annual inspection responsibility is also shared by the State Fire Marshal. Annual licenses are issued only if all agencies - Department of Public Welfare, State Board of Health, Fire Marshal - can continue to approve the nursery program and facilities.

No day nursery shall house, care for, or maintain children on a floor other than grade level except that in a building in which construction is of Type I, II, or III as defined by the Administrative Building Council; children may be cared for on the second floor provided that special requirements of the State Fire Marshal are complied with. Split level structures may be approved provided that there are at least two exits which open directly upon a terrace or grade level. This regulation shall not apply to day nurseries holding a current license issued for second floor occupancy or below grade level occupancy on the effective date of this regulation.

The day nursery shall provide at least 35 square feet of indoor play space for each child for whom the nursery is licensed.

The nursery must provide an outdoor play area, safely enclosed or protected, directly accessible from indoor facilities, of at least 50 square feet per child for whom the nursery is licensed.

Separate play space shall be provided for children of school age.

The nursery shall provide a minimum of one wash basin and one flush toilet for each 10 children. Toilet facilities shall be furnished for the staff separately.

A firm and sanitary cot must be provided for each preschool child.

Day nurseries licensed for 100 or more children shall provide and use a room for the separation from the group of any child having or suspected of having a communicable disease or any illness.

Food provided by the day nursery shall be of sufficient quantity and nutritious quality to provide for the dietary needs of each child, after taking into consideration meals served to the child away from the day nursery. Meals shall be served at times which meet the children's needs and spaced so that there are no unduly long periods without food.

6. Special Notes

The day nursery shall carry sufficient forms and amounts of insurance to give reasonable protection to assets and to insure the liability risks involved in the provision of service. Such insurance shall include but not be limited to public liability and workmen's compensation insurance, and automobile liability and property damage insurance when the day nursery uses an automobile, whether it is owned by the day nursery, an employee or volunteer.

Indiana's regulations extend to areas of operation which, in most states, have not been as precisely defined or as well elucidated by accompanying discussion.

1971 amendments relating to facility requirements:

> Any reputable responsible person or organization who shall apply to the Department of Public Welfare for a license to operate a day nursery under the terms of (the licensing act), shall be issued a license to operate such facility without regard to restrictions relating to physical requirements for day nurseries, in so far as those requirements relate to buildings, structures, facilities or premises but not as those physical requirements relate to equipment for play or education, sleeping or bed requirements if such day nursery is to be operated upon a not-for-profit basis and if it is to be conducted in a public building which otherwise meets the minimum requirements of state and local laws and regulations governing buildings of the type and class to which such building belongs. The State Department of Public Welfare and the State Board of Health may impose restrictions or standards relating to the physical requirements of any such day nursery only insofar as such restrictions or standards have first been determined by such agencies to relate directly to the health and safety of the persons to be cared for by such day nursery. For these purposes, a public building is defined as a structure designed and used for habitation other than permanent residential occupancy.

For zoning purposes, use classification for a church shall be deemed adequate zoning for providing day-care services.

7. Political Subdivisions with Separate Licensing Regulations

IOWA

1. Licensing Agency and Contact

State of Iowa
Bureau of Family and Children's Services
Department of Social Services
Lucas State Office Building
Des Moines, Iowa 50319

Mr. Marvin Sammon
Supervisor, Day Care Section

2. Legal Reference

Iowa Code Annotated, Section 237.1 et seq.

Standards for Foster Care Program and Facilities - Standards for Nurseries (Iowa Departmental Rules, Child Welfare Services).

The term "nursery" shall mean and include the facilities of any home, institution or organization, whether known as a day care center, day nursery, cooperative day nursery, cooperative day nursery school or nursery school, which for profit or non-profit receives for temporary care during part or all of the day, six or more children, over two years of age. A license shall designate the type of operation - "Preschool" or "Day Care."

3. Children Eligible, Adult/Child Ratios and Group Size

No children under two years old will be enrolled in a nursery.

The nursery shall require each child to have a preadmission physical examination and immunizations for smallpox, diphtheria, whooping cough, tetanus and any other immunization the local or state health authorities deem necessary. A child without immunizations shall be admitted only when such procedures are started immediately. . . Booster shots shall follow recommendations as set forth by the. . .State Department of Health. Immunization requirements may be set aside on religious grounds.

There must be at least one member of the child care or teaching staff for each group of children as noted below:

Age	No. of Children
2 year olds	6
3 year olds	12
4 year olds	15
5 year olds	18
7 years and older	25

A separate maintenance staff shall be provided except when the direct child care and teaching staff is in excess of the ratios indicated above.

The basic minimum staff of a nursery shall never be less than two persons to give direct care to children. Two staff members will be on duty at all times except during the periods when a program is starting or ending each day. Until the group in care numbers six in the mornings, and after it is less than six at least one staff member must be on duty with a second person in calling distance.

4. Professional and Other Qualifications for Staff

The nursery operator or executive shall be a competent person, mentally and emotionally stable, who has ability to work with children as adjudged from past experience and training. There will be a plan for staff training and development provided.

The nursery's child care staff and teachers shall have a knowledge of child development and behavior, have the ability to give the children a feeling of security and comfort; and under the supervision of the executive or operator be responsible for the guidance and direct child care.

The nursery shall have at least one staff member with training and knowledge of child development and nursery management.

Any nursery licensed as a "school" shall have at least one teacher who is a high school graduate and has credits from an accredited college or university in specified social and child development subjects.

The nursery shall provide case work service to the child and to his family when needed.

No administrative, professional or child care staff member shall be younger than 16 or older than 70 years of age and, each staff member shall be physically examined prior to employment and thereafter at least every third year. A staff member who develops any symptoms of a communicable disease at any time shall be required to have a medical examination.

5 Facilities

Before a license is issued, the nursery must be inspected by the local fire department or the State Fire Marshal. All recommendations determined by the inspection and approved by the Department of Social Welfare must be carried out.

The premises of the nursery shall be in a sanitary condition acceptable to the State Department of Health.

Any new building or remodeling plan for a nursery shall be approved, prior to construction, by the State Department of Social Welfare.

A representative of the State Board of Social Welfare shall make a study of the nursery before a license is granted or denied.

In the event second story of a building is used as a nursery, an approved fire escape and fire extinguishers will be provided.

Premises used for outdoor play by the nursery shall be. . . fenced when the nursery grounds are located on a busy thoroughfare.

Administrative offices shall be kept separate from the areas used by children and there shall be sufficient rooms available for the various types of activities and for the care of children by age groups.

There shall be napping facilities for each preschool child if time spent at nursery is longer than 3 hours and the nursery shall provide a washable cot and bedding for each such child.

The nursery shall have a room which can be used for isolation for any child having or suspected of having a communicable disease.

Breakfast shall be available at the nursery to children who come in the morning without it and shall be a balanced meal providing at least one-fourth to one-third of the child's total daily nutritive requirements. Children remaining at the nursery for as long as five hours shall be served a full balanced meal providing at least one-third of the child's total daily nutritive requirements.

6. Special Notes

A nonprofit nursery shall have a governing board.

7. Political Subdivisions with Separate Licensing Regulations

Council Bluffs, Iowa, requires day care centers to obtain a food handler's permit.

KANSAS

1. Licensing Agency and Contact

Kansas State Department of Health
State Office Building
Topeka, Kansas 66612

Contact: Shirley Norris, Licensing Program Supervisor
Maternal and Child Health Division

2. Legal Reference

Kansas Statutes Annotated, Sections 65-501 - 65-515.

Child Care Licensing Laws and General Regulations, (DH), 1967-

Kansas State Board of Health Regulations for Licensing Group Day Care Centers, (Effective April 1, 1962).

The term boarding home for infants or children shall mean a house or other place conducted or maintained by anyone who advertises or holds himself out as conducting such a place as a boarding house or home for infants or children; or who has in his control or custody one or more infants under three years of age or children under sixteen years of age unattended by parent or guardians for the purpose of providing such children with food or lodging, or both, except children related to him by blood or marriage, or legal adoption; or any children's home, orphanage, day nursery or other institution; or association, organization or individual engaged in receiving, caring for, or finding homes for orphans, dependent or neglected children; or any receiving or detention home provided or maintained by, or receiving aid from any city or county or the state.

A group day care center is defined as a day nursery providing care for 5 or more children over 3 years of age for part or all of a day, away from the home of the parent or legal guardian, and it includes full day group care, nursery schools, play groups, centers giving emphasis to special programming for children, kindergartens not accredited by the State Department of Public Instruction, and other establishments offering care to groups of children for part or all of the day.

The power to grant licenses is vested in the State Board of Health; however, no license shall be granted, without the approval of the Division of Child Welfare Services of the State Department of Social Welfare.

To permit development of state-operated children's institutions and their child-care facilities in harmony with privately operated institutions and facilities, licenses may be granted to them on request, provided that standards and requirements of the State Board of Health are met.

3. Children Eligible, Adult/Child Ratios and Group Size

No infants under the age of 3 years shall be received for care in any group day care center.

Group day care centers for preschool children are licensed for children between the ages of 3 and 6 years. Centers operating on a school year basis may enroll children in September who will be 3 years of age on or before the following January 1.

Group day care centers giving care to school-age children before and after school and during the summer months shall have space and equipment for this age group.

Children showing gross mental retardation, emotional disturbance or physical handicaps shall be screened with the greatest care. Any such exceptional child considered for admission shall be reported to the Maternal and Child Health Division. . .for consideration by the Joint Licensing Committee. Reportable handicaps include: blindness, deafness, cerebral palsy, epilepsy, mental retardation (obvious and notable, or below I.Q. 75), severe orthopedic handicapping congenital deformities, severe speech defects, and any other condition which makes it impossible for the child to lead a normal life, or to profit by education offered in the public schools.

A thorough physical examination shall be given each child at the time of admission to a child care facility, and at yearly intervals thereafter or oftener.

No child shall be admitted to a group day care center, except in an emergency, before obtaining from his physician the prescribed statement that he is free from communicable disease and that he has been immunized or is in the process of receiving immunization against smallpox, whooping cough, polio, diphtheria, and tetanus. Only medical exemptions to immunization, signed by a licensed physician, are acceptable. Immunity against the above diseases may be considered effective as shown by the administration of booster injections following the original course of injections.

There shall be at least one person between 21 and 60 years of age with a group of children at all times.

There shall be at least one adult for each 12 children between 3 and 5 years of age.

There shall be at least one adult for each 16 children between 5 and 7 years of age.

There should be a second adult available for any group, no matter how small, so that emergencies may be handled adequately.

Total enrollment for any session shall not exceed 48 children.

4. Professional and Other Qualifications for Staff

No new center may be established for more than 16 children unless the operator of the center furnishes proof of graduation from an accredited college with a major in child development or preschool education, and at least one year of satisfactory experience under the supervision of a trained person. After a center operated by an untrained person has been in operation for at least one year and the operator has demonstrated her ability to supervise such a center, the Joint Licensing Committee may consider a request for increased enrollment.

All staff members directly responsible for children shall be qualified to give care to children by temperament, emotional maturity, sound judgment, education, experience, and an understanding of children.

All employees and other persons coming into contact with the children shall submit a physician's certificate stating that they are free from physical and mental illness which might conflict with the children's interest and that they have had a test which indicated freedom from active tuberculosis.

5. Facilities

The building shall meet the legal requirements of the community as to zoning, sanitation, fire protection, water supply, and sewage disposal. Where local regulations do not exist on these matters, accepted standards of the Kansas State Department of Health and the State Fire Marshal shall prevail.

A facility must be inspected by the Department of Health before a license is granted, and at least once every 6 months. In all cases where the State Department of Social Welfare deems it necessary, an investigation will be made by the county welfare department or other designated agent.

Only ground or first floor space may be used in caring for children with use of basement (for part-day sessions, not exceeding three hours) and upper floors permitted under certain conditions. A basement area shall not be used for full-day care.

The indoor area for play must contain a minimum of 35 square feet of useable floor space per child.

Outdoor play area of at least 100 square feet of useable play space per child shall be provided. If adjacent to a highway or other dangerous area it shall be fenced.

All quarters occupied by children shall be adequately lighted The combined natural artificial lighting shall reach a minimum of 20 foot candles in all parts of the room.

In full day care centers, the kitchen shall be separate from the playroom.

There shall be one toilet and one wash basin for each 12 children receiving care.

There shall be a telephone located on the premises and readily available

Napping facilities shall consist of individual cots, beds or mattresses at least 2 inches thick. For children receiving care for 4 hours or less, individual rugs or pads may be used for a short rest period.

An additional room located so that it can be under adult supervision shall be furnished for the isolation of children suspected of illness until such time as arrangements can be made to take the child home.

Children remaining at the group day care center for as much as two and a half hours shall receive mid-morning and mid-afternoon refreshments such as fruit, fruit juice or milk. All milk served in a group day care center shall be pasteurized. If children remain in the group for longer than four hours, a full balanced meal, with at least one hot dish, shall be provided by the day care facility. This meal shall provide at least one-third of the child's total daily requirements of calories, proteins, minerals, and vitamins. Each noon meal shall consist of: a main dish of meat, eggs, fish or cheese: a vegetable, bread and butter, fruit and milk.

6. Special Notes

With respect to the operational aspects of the licensing process, responsibility for processing applications, making evaluation restudies, and coordinating reports from health and welfare agencies may be delegated to the director of a full-time local health department able to provide such services. In all cases the State agency shall actually issue licenses, set minimum standards, exercise general supervision, and initiate legal action in cases of violation of the law.

The 1962 day care center regulations cited above were intended to focus on facilities for preschool children. The State is presently developing regulations for provision of after school and summer day care services. Some consideration is also being given to development of standards for group care facilities for children under three years of age.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

Kentucky Department of Child Welfare
403 Wapping Street
Frankfort, Kentucky 40601

Miss Rita McMahon, Chief
Office of Special Services

2. Legal Reference

Kentucky Revised Statutes Annotated, Sections 199.011, 199.892-199.896, 199.990.

Standards and Regulations for Day Care Centers and Day Care Homes, (DCW), 1967.

Day care center means any child care facility, other than those set out in KRS 158.300 (relating to kindergarten-nursery schools), which provides full or part-time care, day or night, for at least 4 children not related to the operator of the child care facility by blood, marriage, or adoption. Day care centers shall not include any child care facility operated by a religious organization while religious services are being conducted. (KRS 199.894)

A day care center is further defined by the Standards as a facility providing group care away from home for seven or more children for any part of the day or night. The number of children for which a center is licensed is determined by the amount of space, the equipment, and the staff-child ratio. Facilities may be located in private homes, churches, community centers, or buildings especially designed for this purpose.

Child means any person who has not reached his 18th birthday.

3. Children Eligible, Adult/Child Ratios and Group Size

If infants under two years of age are cared for in the center, provision must be made for their special needs and complete protection.

Facilities caring for children under 3 and those large enough to group children according to age shall use the following adult/child ratio:

Age of Children	Ratio
Under 2 years	1 to 6
2 and 3 years	1 to 8
3 and 4 years	1 to 10
4 and 5 years	1 to 12
5 and older	1 to 15

No center with only one full time staff member shall have more than 10 children.

4. Professional and Other Qualifications for Staff

All persons having direct contact with the children must be of suitable age to give mature care.

One person shall be designated as the operator to assume primary responsibility for the administration of the program of the center. The operator must be able to coordinate all phases of the center's program. In her absence a responsible substitute shall be in charge.

Staff members must be willing to work together, cooperate with parents, and participate in and profit from training in the field of child development. Center personnel must attend training courses and workshops provided by the Department.

Suggested educational qualifications for the staff include:

Director - Bachelor's Degree in a field related to behavioral sciences;

Teacher - Bachelor's Degree in early childhood education;

Assistant Teacher - At least a high school education and two years of higher education or equivalent life experiences.

Prior to employment all day care personnel must obtain a statement from a physician verifying satisfactory conditions of health and negative reports of VDRL and TB tests. A tuberculin test is required annually thereafter. All others who reside on the premises must have a report of negative TB test.

5. Facilities

The applicant should check with local authorities on zoning regulations for a day care facility at the proposed site.

The building shall be suitable for the purpose intended with a minimum of 35 square feet of space per child exclusive of kitchen and bathroom. Safety regulations and other building requirements are set out in Appendices to the Standards.

Plans and specifications for new building and/or additions which are being constructed for day care facilities must be approved by the Departments of Health and Safety.

The decision as to whether the program complies with the regulations and standards shall be based on the study of the program by a representative of the State Department of Child Welfare together with written reports from the State Department of Health and from the State Department of Public Safety, or their authorized representatives. With respect to re-licensing, The Department of Child Welfare will request Health and Safety inspections and a Day Care Representative will visit the facility and make recommendations.

Child caring facilities shall not be located above the first floor of any building classified as wood frame or ordinary construction.

If infants under 2 years of age are cared for, a separate room shall be provided.

The outdoor play space shall be adequate in size to accommodate the number of children using the area at a particular time and must be fenced if necessary.

There will be a minimum of one toilet and one bowl for each 20 children.

The center shall be equipped with a telephone easily accessible to the rooms used by children.

An individual cot or a crib shall be provided for each child.

If a child becomes ill during the day, facilities for isolation shall be available until arrangements can be made for him to be taken home.

A wholesome meal shall be served at mealtime and provisions made for mid-morning and mid-afternoon snacks. The milk and water supply shall be approved.

6. Special Notes

Under Kentucky licensing procedure, a day care facility may be given written permission to begin operations prior to the issuance of a license. Upon completion of the study of the facility in operation and determination of its compliance with the regulations and standards, a license will be issued.

7. Political Subdivisions with Separate Licensing Regulations

LOUISIANA

1. Licensing Agency and Contact

Louisiana Department of Public Welfare
P. O. Box 44065
Baton Rouge, Louisiana 70804

Charles O. Yost, ACSW, Director
Division of Foster Care Services

2. Legal Reference

Louisiana Statutes Annotated - Revised Statutes, Sections 46:1401 - 46:1411.

Minimum Requirements for Licensure of Day Care Centers, (DPW), 1965.

The term "child welfare agency" shall include child-caring institution, child-placing agency, maternity home, family boarding home, and day care center. . . Any child welfare agency which is under direct management of an administrative department of the State shall not be subject to licensing requirements. Any child welfare agency which is under direct management of any parish, municipality or private organization or person shall be subject to those requirements. The licensing act does not apply to organizations or to individuals whose function is to provide a part-time program of four hours or less per day in a nursery or kindergarten setting or provide irregular care on an hourly basis. It also does not apply to elementary schools, having grades in addition to nursery school and kindergarten, which accept children only over two years and eight months of age. If regular and irregular care are given in the same facility and result in their being as many as five or more children in care at one time, the provisions of the Act shall apply.

A day care center is defined as any place operated by a person, society, agency, corporation, institution or any other group, wherein are received for pay 5 or more children under 17 years of age who are not related to such person and whose parents or guardians are not residents in the same house, for day time control, care and food.

3. Children Eligible, Adult/Child Ratios and Group Size

Medical requirements for admission include:

> A statement from a physician that the child is in good health and free from communicable disease established by a medical examination. This examination should be made within two weeks' period prior to admission.
>
> A statement that the child has been immunized against smallpox, diphtheria, whooping cough, tetanus and poliomyelitis, before being admitted; or a statement signed by a physician as to why this was not accomplished and when it is to be done.
>
> A statement regarding results of a tuberculin test.

A child whose mental and/or physical condition appears to be such that it may present a problem in the center should be accepted only through recommendations from an appropriate social agency or the center's staff physician.

There shall be a personal interview with the parent(s) or guardian before a child is admitted.

Each child in the center shall have an annual physical examination and an official statement that the child is in good health and free from infectious or contagious diseases.

Children enrolled on an irregular basis shall meet the same requirements as regularly enrolled children.

If the day care center has less than 10 children enrolled, there shall be one competent adult in charge if the children are over the age of 18 months. It is desirable that part-time help be available to assist. If there are any children in care under 18 months of age, there shall be a competent adult and part-time help.

If the center has more than 10 children enrolled, there shall be at least two staff members in attendance. One staff member should be responsible for each of the following age groups:

Age	Number of Children
Under 18 months	6
Over 18 months	14

A staff member shall be designated to supervise the toddler group. This group shall be separated from the infant group.

An additional worker shall be employed for cooking and housekeeping when the number of children in care is 20 or more.

If the number of children exceeds 35 it is assumed that administrative responsibilities will consume a large portion of the Director's time and substitute help should be employed to meet staff requirements.

No child shall be cared for in a day care center more than 10 hours per day.

4. Professional and Other Qualifications for Staff

The Director or operator should be qualified by education, experience and temperament. It is preferable that the Director and all personnel supervising children have a high school education. The director should be willing to continue to learn and to avail himself of opportunities to further his knowledge and understanding of children.

The staff members must provide responsible references and shall have a suitable personality to work well with children.

It is suggested that a trained social worker be employed to serve as a counselor to parents and staff, in order to give well-rounded services to the children. Arrangements may be made in small centers to share a social worker, or to employ one on a part-time basis. A center serving between forty and seventy-five children needs a social worker on a full-time basis. Those centers in which more than seventy-five children are in care will need additional casework service.

Each person working within the center shall be required to obtain, before beginning work, and at least once a year thereafter, a written statement from a physician that the person is in good health and physically able to care for children; is free from infectious and contagious diseases; and has no evidence of active tuberculosis.

Each person living in a private residence, part of which is used as a day care center, shall meet the same medical requirements as employed personnel and children enrolled.

5. Facilities

A center shall in all respects meet the requirements of the fire prevention and safety authorities having jurisdiction over it. A yearly report of approval from the fire prevention and safety authorities is required. It is the responsibility of the staff of the center to request the yearly inspection of the fire prevention or safety authorities.

The plant and equipment shall conform to state and local ordinances governing sanitation, as certified by a written statement given during preceding twelve (12) months by an authorized representative of State Board of Health. It is the responsibility of the staff of the center to request the yearly inspection by the Health Department

State and local health requirements regarding children's sleeping arrangements must be met.

The toilet facilities shall be kept clean and shall conform to state and local ordinances.

It shall be the duty of the Department of Public Welfare, through its duly authorized agents, to inspect at regular intervals without previous notice all child welfare agencies.

There shall be a minimum of thirty-five square feet of play space per child.

Kitchens, bathrooms, halls used as passageways, family bedrooms, lockers, laundry rooms, built-in cabinets and any other quarters with furniture used as family living space shall not be considered as floor space available for play space. The living room can be included if unrestricted play is permitted.

Allowances will be considered for absenteeism. The following formula will be followed:

No. of Children according to space	No. Allowed for absenteeism
5 - 9	0
10 - 14	1
15 - 24	2
25 - 34	3
35 - 44	4
45 - 54	5
55 - 64	6
65 - 74	7

There shall be outdoor play space provided for the children. Different age groups may use the outdoor play space at varying times. There shall, however, be a minimum of seventy-five square feet for each child in the group at any one time. The minimum outdoor play space shall be available for at least one-half of the number of children in care. The outdoor play space shall be enclosed in such a manner as to protect the children from traffic hazards and to prevent the children from leaving the premises without proper supervision.

There shall be a nursery room for infants only. Children who are walking shall not share a room with infants. Young toddlers shall have separate quarters except in centers providing care to less than ten children.

There shall be a telephone at the center for use in emergencies.

Each child shall be provided with a cot or a bed. There shall be no more than two children to a bed, if a double bed is substituted. There shall be individual cribs provided if infants are in care.

There shall be provisions for isolating a child having or suspected of having, a communicable disease so that he can be removed from the other children. This space should be equipped with a bed or cot and suitable toys that can be easily cleaned and sterilized.

Well-balanced, nourishing meals must be provided. Children coming without breakfast must be served this meal; in addition, children must be served one hot meal and mid-morning and mid-afternoon snack. Children are not to bring their own food to the nursery. Special formulas for infants may be supplied by the parent. Food cannot be sold to the children or staff at the day care center.

6. Special Notes

One type of service only shall be offered within the same facility, i.e., day and night care cannot be considered within the same facility.

If a licensed day care center wishes to increase the number of children for which it is licensed the director must request recommendations from the Department of Public Welfare.

Day care centers which receive support from their membership, from public solicitation, or from tax funds shall have a responsible governing body which shall be one of the following:

A board of local citizens elected or appointed for that purpose; or

A board or a committee comprised of members from a religious or charitable organization such as church, lodge, veterans' organization, et cetera; or

A public authority.

Powers of the board include the authority to appoint and to dismiss the director of the center.

7. Political Subdivisions with Separate Licensing Regulations

MAINE

1. Licensing Agency and Contact

Division of Child and Family Services
Maine Department of Health and Welfare
Augusta, Maine 04330

Miss Anne Kalwell
Day Care Licensing Supervisor

2. Legal Reference

Main Revised Statutes, Title 22, Section 3797.[1/]

Law Providing for the Licensing of Day Care Centers for Children and Rules and Regulations Pertaining Thereto, (DHW), 1969.

No person, firm, corporation, or association shall conduct or maintain a boardinghouse or home for one or more children under 16 years of age, unattended by parents or guardian, or day care facilities for 3 or more children under 16 years of age, excepting children related to such persons by blood or marriage, or who have been legally adopted by such persons. . . without having in full force . . . a written license therefor from the department.

The term "Day care facility" shall mean a house or other place conducted or maintained by anyone who advertises himself or holds himself out as providing care and protection for children under 16 years of age, unattended by parents or guardians, for any part of any day, except that any facility, the chief purpose of which is to provide education, shall not be considered to be a day care facility.

The term "day care center" shall mean a house or other place conducted or maintained by anyone who advertises himself or holds himself out as providing care and protection for 13 or more children under 16 years of age, except children related to the operator by blood, marriage, or adoption, who are unattended by parents or guardians, for any part of a day, except that any facility the chief purpose of which is to provide education shall not be considered to be a day care center.

[1/] See also Special Notes, below, re 1971 amendment.

The term "day care center operator" shall mean the individual having full responsibility for making policies and administering the program in a proprietory operation or the individual delegated this responsibility by the Board of Directors of an agency or corporation sponsoring a day care center.

3. Children Eligible, Adult/Child Ratios and Group Size

No child under 2 1/2 years of age shall be cared for in a day care center.

Each child must receive a complete examination from his family doctor before he actually joins a group or is placed in a day care center, except under exceptional circumstances the physical examination may take place within six months of the child's acceptance.

Examination must include a complete health history, a complete physical examination, and an evaluative statement from the physician, including immunizations needed.

No child shall be admitted to the day care center until there has been received a physician's statement indicating that the child is free from communicable disease and that he has been satisfactorily immunized or is in the process of being immunized against measles, smallpox, whooping cough, poliomyelitis, diphtheria, and tetanus, unless there is medical or legal reason why these immunizations must not be done. The time schedule for a series or booster shall be in agreement with the standard set by the American Academy of Pediatrics. The physician's statement shall also note the presence of any condition affecting the general health of the child or any handicap and shall include any suggestions which the physician may feel would be helpful to the day care center operator.

Physically, emotionally, or mentally handicapped children requiring special care or who need extra individual attention shall not be admitted to a day care center unless its staff includes persons with the specialized training to give such care.

The maximum number of children to be assigned to one adult, exclusive of service staff (clerical, cooking, and maintenance) in centers caring for more than 15 children:

Age	Number of Children Per Adult
2 1/2 to 3 years	8
3 to 4 years	10
4 to 5 years	15
5 to 6 years	18
6 years and older	20

Age of youngest child in mixed group determines the staff required.

Children of staff members who attend the day care center or who are in the number of children cared for on the premises shall be counted in the appropriate age groups.

Children in attendance for only part of a day, will be counted only while in the day care center, in determining staff care requirements.

The children must be under supervision of a staff member at all times.

At least two staff members must be present in the day care center at all times in case of emergency or sudden illness.

4. Professional and Other Qualifications for Staff

The Director shall be responsible for the operation of the day care center at all times, except in the necessary absence of the Director a responsible staff member shall be delegated to be in charge.

The Director or the person who has been delegated the responsibility of Director in the Director's absence shall be at least 21 years of age, and be a high school graduate or its equivalent.

The minimum acceptable experience requirement of the Director is six months of work with pre-school children.

The minimum training requirements for existing facilities is the successful completion of a specialized course or workshop, in the field of early childhood education or child development. (This requirement was to be met within one year of the effective date (September 1, 1969) of the regulations, but not beyond April 1, 1970 by directors of existing facilities.)

The Director of new facilities and those presently (i.e., upon the effective date of the regulations) caring for 20 or more children must have completed or be in the process of completing at least two years of college and an acceptable course in early childhood development. In lieu of the qualifications of the Director, said Director may employ a staff member having the above qualifications. (Directors of facilities holding a license prior to March 1, 1969, may be exempted from the above educational requirements at the discretion of the Director of the Division of Child and Family Services.)

A day care center providing kindergarten programs for 5-year-olds must be approved by the Department of Education and must be staffed by a certified teacher, preferably with training in nursery or early education.

The Teacher or person having primary responsibility for a group of children must have completed high school or be in the process of working toward obtaining a high school equivalency certificate.

Assisting Teachers, if any are employed, must have a high school education or be working toward a high school equivalency certificate.

Other assistants, aides, or volunteers need not have a high school education.

Each teacher, assisting teacher and/or teacher aide must be willing to participate in in-service training programs and/or workshops in the fields of child development and education, which may be sponsored by the Department of Health and Welfare or other agency or organization approved by the department.

The day care center must have a written agreement with a duly licensed physician, to the effect that he will provide consultation and emergency treatment, according to the terms of the agreement.

There must be a medical form prior to employment in a day care center from a duly licensed physician for each member of the staff, certifying that the staff members is free from communicable and contagious diseases, including tuberculosis, venereal disease and is not known to be a typhoid carrier. This must include an annual, negative mantoux, tine or skin test, or in the case of a positive skin test the staff member is required to have an annual x-ray of the chest.

5. Facilities

The building shall comply with all local building, fire and sanitation laws. An annual inspection and certification by the Insurance Department of the State of Maine shall be conditional for licensing. The building exit code and other regulations as set by the Insurance Department shall govern the center.

Water supply and sewage disposal shall meet the standards of the State of Maine, Division of Sanitary Engineering. Water which is used for drinking and cooking purposes must be obtained from a municipal water system or other satisfactory supply which meets the standards of the Division of Sanitary Engineering of the Department of Health and Welfare. If a satisfactory supply cannot be provided, a license, or renewal of a license, cannot be issued.

Kitchen facilities must comply with applicable requirements of the Department of Health and Welfare rules and regulations pertaining to eating places.

During epidemics the local health department shall be consulted about closing the day care center temporarily to reduce transmission of the disease.

A sanitary inspection by the Division of Sanitary Engineering of the State of Maine in accordance with the rules and regulations promulgated by the Division of Sanitary Engineering shall be a pre-requisite for initial licensing and shall be required every three years or more frequently if deemed necessary by the department.

No license to operate a day care center at any location can be issued until such center passes a satisfactory inspection for fire safety and fire protection. Such an inspection must be made annually thereafter if the renewal license is to be issued. All inspections shall be made under the provisions of applicable fire prevention statutes and rules and regulations promulgated by the Insurance Commissioner of the State of Maine.

Following receipt of application for a license to operate a day care center, a representative of the Department will evaluate the adequacy of care provided or planned for children and the physical plant to insure compliance with applicable rules, standards, and regulations adopted by the Department of Health and Welfare.

A representative of the Department will make periodic visits to the day care center for the purposes of supervision and consultation. Renewal of license will be based on the continued compliance with the applicable standards, rules and regulations adopted by the Department of Health and Welfare.

There must be a minimum net area of 20 square feet of useable space per child in the center.

Outdoor play areas must have a minimum of 75 square feet per child and be fenced in high enough to keep children in the area. A convenient source of water, from an outdoor sink or faucet which meets the standards of the Division of Sanitary Engineering must be provided for outdoor water play and for use with sand.

Each playroom must have outside windows equal in area to 10% of the floor area. A temperature of 68° to 70° F. within two feet of the floor shall be maintained.

One toilet and wash basin are required for every 20 children. Separate toilets and wash basins must be provided for the adults. There shall be automatic control to prevent water temperature from rising above 110° where used by children.

A telephone must be easily accessible in the center.

A separate crib, pad, canvas, or metal cot and individual blankets, or other covering must be provided for each child except in the case of children receiving before and/or after school care.

A special room must be set aside for children requiring isolation away from the group in case of emergency illness, or when the child needs to be by himself.

In a full day program in the day care center, at least one-third of the child's daily nutritional requirements must be provided. If breakfast is served, at least two-thirds of the requirement must be provided. Meals in a full day schedule must include a morning snack, a hot lunch, an afternoon snack for all children; snacks must be simple and nourishing, such as milk, fruit or fruit juice, with cookies and crackers; meals must be well balanced and menus must be posted.

6. Special Notes

The day care center shall carry minimum liability insurance of $100,000 per person, $300,000 per occurrence; a minimum of $5,000 property damage; appropriate automobile liability insurance, if transportation is provided.

Day care centers may be of two types: those operated by individuals for profit and those operated by social agencies, religious groups, community groups, or other as a non-profit community service.

If the day care center is operated by an individual or individuals for profit, there must be one individual fully responsible for policy making and the administering of the program.

If the day care center is operated as a community service, and financed by voluntary contributions or by tax funds, there must be a board of directors who shall:

Define the purpose and scope of the service;

Develop policies and provide for the implementation of them;

Be responsible for establishing and maintaining a sound financial structure;

Select a skilled and well qualified director to administer the program;

Interpret the service to the community.

1971 amendment - An Act Permitting Indian Homes To Be Licensed as Foster Homes:

Subsection 1 (Licensing) shall also apply to homes or day care facilities located upon Indian reservations. The department shall consider for licensure such facilities as are recommended by the Governor and tribal council of the reservations on which they are located. (Ch. 426, 1971 Reg. Sess.)

7. Political Subdivisions with Separate Licensing Regulations

The City of Portland has a local ordinance regulating day care centers. It has been construed that day care facilities licensed and/or supervised by the State are exempt from the local ordinance. Portland, however, maintains that it does have the authority to impose local licensing requirements day care facilities within its jurisdiction. At the time of this writing, the issue had not been resolved.

City of Lewiston (Baby home license).

MARYLAND

1. Licensing Agency and Contact

Division of Maternal and Child Health
Department of Health
Department of Health and Mental Hygiene
301 West Preston Street
Baltimore, Maryland 21201

Mrs. Mary Jane Edlund
Child Day Care Center Coordinator

2. Legal Reference

Annotated Code of Maryland 1957, Article 43, Sections 707-717

Regulations Governing Group Day Care of Children, (DH), 1959, (Effective October 1, 1956).

"Group day-care center" means an agency or institution offering or supplying group care to five or more children who have not the same parentage, for a portion or all of a day and on a regular schedule more often than once a week. (An. Code, Art. 43, § 708)

Child means an individual under 16 years of age.

The Regulations define:

> "Group Day Care Services" as one which fulfills all of the following conditions:
>
> > Provides care for four or more children not of common parentage apart from their parents or guardians;
> >
> > Enrolls children below the Maryland legal school age of seven years;
> >
> > Provides regular or repeated care of children on a greater than once-a-week only schedule as a Sunday School;
> >
> > Provides care for compensation or not for compensation;
> >
> > Does not provide care for 24 hours a day to any children.

"Group Day Care Center" as the premises on which group day care services are provided.

"Operator" as any person, persons, partnerships, firms, corporations, and cooperative enterprises providing, or desiring to provide, group day care services for children.

Day Care Center regulations shall not apply to the services and facilities operated by official Boards of Education nor to the children under their care.

3. Children Eligible, Adult/Child Ratios and Group Size

No child under 12 months of age shall be admitted to a day care center. Day care centers which admit children below the age of three years shall be able to provide completely individualized care.

No child shall be admitted to a day care center until there has been submitted for such child a physician's written statement that he has been successfully vaccinated against smallpox. Each child shall have completed the initial series of inoculations against diphtheria, whooping cough, tetanus and poliomyelitis. In addition, children who have been immunized against diphtheria , whooping cough and tetanus more than three (3) years prior, shall receive a booster dose prior to admission.

The following children shall not be admitted to a day care center:

1. Children with any communicable disease.
2. A child who requires constant individual care unless adequate provision is made for such care.

The number of children of any age cared for at any one time in each day care center shall be limited in accordance with the premises, staff and equipment to the number stated in the permit.

In order to safeguard the health and safety of the children, a responsible person shall be in attendance at all times the group day care center is in operation.

4. Professional and Other Qualifications for Staff

A statement of a medically satisfactory chest x-ray examination of each staff member is one of the documents specified in record keeping requirements set forth in the regulations.

5. Facilities

The applicant shall submit to the health authority (Deputy State Health Officer in the county in which the center is located) statements of compliance of the premises with all requirements of local zoning, building and fire authorities.

Sewage disposal methods, water supply systems, and food utensil care must conform with the regulations of the State Board of Health and Mental Hygiene.

Plumbing and plumbing fixtures are subject to requirements of the State Plumbing Code.

The fuel supply shall be handled according to the regulations of the State Insurance Commission or local fire authority.

Gas appliance installation must be in accordance with rules and regulations of local building codes.

Any proposed alterations or additions to the building or plant, or changes in its facilities shall be submitted to the health authority so that they may be approved or disapproved with such recommendations as deemed necessary.

Not less than 30 square feet of usable space shall be provided for each child accepted in the day care center, excluding corridors, kitchens, bathrooms, offices, isolation rooms and storage space.

A sanitary outdoor playground shall be provided which shall be free from conditions such as open ponds, inadequate fencing, dangerous placement of equipment, which is or may be dangerous to the life and health of the children. . . The outdoor play area shall provide ample space.

The premises on which a day care service is to be conducted shall be served by a good road, which is kept passable at all times of the year.

The building, whenever possible, shall be equipped with a central heating unit adequate to maintain an even temperature of between 68° and 70° F. at all times at two feet above floor level.

Illumination of at least 15 foot candles will be provided at play surfaces and at least 5 foot candles on all stairways and corridors.

Each room should have a total window area of at least 10% of the floor space and openable window areas of at least 5% of the floor area. If this requirement is not met, equivalent artificial ventilation must be provided.

There shall be one water closet and one wash bowl provided for each 10 or fraction of that number of children.

There shall be at least one telephone, not a pay station or locked telephone, in the building and such additional telephones or extensions as may be required to summon help promptly in case of fire or other emergencies.

Each child remaining in the day care center for more than four hours daily shall have a separate bed, crib or cot.

There shall be available space for the isolation of ill children.

6. Special Notes

Group day care center licenses are issued by local departments of health which are located in the counties and Baltimore City.

Group day care center regulations currently in effect (at this writing) antedate the 1965 day care center statute. New regulations become effective December 1, 1971.

7. Political Subdivisions with Separate Licensing Regulations

Baltimore City, Montgomery, Baltimore and Prince George's Counties have local day care ordinances which are slightly stronger than the 1956 regulations.

1. Licensing Agency and Contact

Division of Maternal & Child Health Services
Commonwealth of Massachusetts Department of Public Health
88 Broad Street
Boston, Massachusetts 02110

Frances M. Heald, ACSW
Coordinator of Day Care Services for Children

2. Legal Reference

Massachusetts General Laws Annotated, Chapter 111, Sections 58-62.

Rules and Regulations for Day Care Services for Children (DPH), 1963.

"Day care services for children" shall include the services of any institution or place whether known as a day nursery, nursery school, kindergarten, child play school, progressive school or preschool, or under any other name, except a Sunday school conducted by a church or a summer recreation camp, which receives for temporary custody, with or without stated educational purposes during part or all of the day apart from their parents, three or more children under seven years of age and not of common parentage, separate and apart from their parents. The term, "day care services for children." shall not include: (1) services of kindergartens or nursery schools operating as part of organized educational systems and; (2) services of kindergartens or nursery schools operated by a state agency, provided such agency certifies annually to the department that its services are in accord with the minimum requirements of the department. . .

3. Children Eligible, Adult/Child Ratios and Group Size

A child under three years of age shall be admitted to a day care service only upon written approval from the Massachusetts Department of Public Health. Approval shall be based upon review by the social work consultant as to the nature of the family problem leading to placement in a day care facility; the maturity of the individual child; his readiness and capacity to accept separation from his family; his ability to profit from and tolerate a group experience; the type of care available in the community or the individual family or community condition which shows the need for group day care for a child of this age.

Upon written approval from the Massachusetts Department of Public Health, handicapped children needing special care or requiring extra individual attention may be admitted to a day care center, if there is sufficient qualified staff for their care.

School-age children shall not be cared for outside of school hours without special provision being made so as not to interfere with the care of the children under seven years of age.

No child shall be admitted until the service has received from his parents a physician's certificate stating that the child is free from communicable disease, and that he has been satisfactorily immunized or is in the process of being immunized against smallpox, whooping cough, tetanus, diphtheria and polio unless there is a medical reason why these immunizations are not to be done.

Children over three years of age upon admission to the service who have been immunized against whooping cough, tetanus, and diphtheria more than two years prior to admission should receive a booster dose against these diseases prior to admission or immediately thereafter unless such prophylaxis is considered contraindicated on medical grounds.

The physician's certificate shall also state the presence of any condition affecting the general health of a child, or any handicap, and shall include any suggestions that will be helpful to the group care center.

Such physical examination shall be repeated annually thereafter as long as the child attends the service.

The preceding medical requirements shall not apply to children whose parents object thereto on religious grounds in conformity with the teaching and practice of any well-recognized church or religious denomination.

In groups of children of mixed ages there shall be at least one adult for every 10 children.

If children are in care for more than three hours, one adult supervisor must be in charge for:

Every 10 or fewer children aged 3 and 4 years

Every 15 or fewer children aged 5 and 6 years

If children are in care for three hours or less, one adult supervisor must be in charge for:

Every 12 or fewer children aged 3 and 4 years

Every 25 or fewer children aged 5 and 6 years

If the maximum number of children in any category is exceeded, an additional adult assistant or aide must be provided.

No group which includes children under 5 years of age shall consist of more than 20 children. All groups shall be separated from other groups by full or partial partitions.

There shall be two adults on the premises at all times. An exception may be made only at the discretion of the Massachusetts Department of Public Health.

4. Professional and Other Qualifications for Staff

In centers of 40 or more children, there shall be a non-teaching administrative director.

Administrative directors or persons in charge of supervision of program who are appointed on or after the date of promulgation of the Regulations (1963) shall have:

A high school diploma or a Massachusetts High School Equivalency Certificate.

A minimum of three years' experience with children in a day care program plus four basic courses in early childhood education to be approved jointly by the Massachusetts Departments of Public Health and Education. These courses shall be related to a recognized educational institution or the Massachusetts Department of Education, Division of University Extension. Courses, workshops, or institutes offered by other agencies or groups must be jointly sponsored or approved by the Massachusetts Departments of Public Health, Education, Mental Health and Public Welfare.

or

Completed a minimum of one year of college in a recognized institution of higher education plus two years' experience with children in a day care program, and satisfactory evidence of having completed at least one course in early childhood education or child growth and development jointly approved by the Departments of Public Health and Education.

> Administrative directors or persons in charge of program already serving in day care services before the date of promulgation of the Regulations were required either meet the education and experience requirements set forth above or to submit to the Department of Public Health within two years after date of promulgation satisfactory evidence of having completed at least one jointly approved course in early childhood education or child growth and development.

All staff directing children's activities must hold a high school diploma or a Massachusetts High School Equivalency Certificate. All such staff not holding a degree with a major in early childhood education or child development, child study, or a related field were required to present to the Department of Public Health within two years of promulgation of the Regulations satisfactory evidence of having completed at least one jointly approved course in early childhood education or child growth and development. Such staff appointed after one year from date of promulgation were required to present such evidence within one year after appointment and to submit an approved plan for continuing study in the area of early childhood education.

Any other persons employed as non-professional staff aides shall work under the supervision and direction of a senior staff member. Paid or volunteer aides must be at least 16 years of age.

If a major purpose of the service is that of supplementing the child's own home where parents are, for part of the day, working or seeking work, or otherwise absent from the home, or unable for other reasons to provide parental supervision, there shall be social services available, either within the service or by arrangement with a community agency, public or private.

Before beginning work, every staff member must file a physician's certificate stating that the individual has been examined within 90 days of starting work and is free of any illness or condition, mental or physical, which might adversely affect the welfare of the children.

Before beginning work and every three years thereafter, every staff member must file a physician's report of either a negative intradermal tuberculin test or a negative chest x-ray which shall have been performed within the previous 90 days. When medically indicated, examination may be required at shorter intervals to determine freedom from tuberculosis.

5. Facilities

Housing of a service giving day care to children shall meet all the requirements of the Massachusetts Department of Public Safety and applicable local requirements. Housing shall be open to inspection without notice by the State or local building inspector.

Housing of any service giving day care to children shall meet all the requirements of the Massachusetts Department of Public Health and applicable local requirements pertaining to sanitation.

Housing shall conform to State and local zoning and building construction regulations.

The Department of Public Health or designated local health departments and boards of health may, at any time, visit and inspect day care services in order to determine whether they are conducted in compliance with law and with the rules and regulations issued by the Department. The Department shall assign qualified personnel to fully implement the licensing program, and to provide appropriate consultation to inspecting personnel as well as to the day care services.

New programs beginning operation after the date of promulgation of the Regulations shall provide a minimum of 35 square feet per child of floor area in quarters regularly occupied by children. This space shall be exclusive of hallways, lockers, wash and toilet rooms, isolation rooms, kitchens, closets, and offices.

Services in existence prior to promulgation date which were unable to provide a minimum of 35 square feet per child were permitted to obtain written approval from an early childhood education consultant of the State Department of Public Health. This approval was required to be based upon inspection of premises to determine that individual play space is arranged to accommodate all children in the group with sufficient space for different types of play activities to go on at the same time without confusion and interference.

The outdoor play area shall contain at least 75 square feet of usable play space per child using it, and the average width shall not be less than 8 feet. Some part shall be accessible to direct sunlight. Services in existence prior to promulgation date which are unable to provide a minimum of 75 square feet per child were acquired to obtain written approval from an early childhood education consultant of the State Department of Public Health. If any part of the play area is adjacent to a highway, on the roof, or in other dangerous area, fencing shall be provided of such construction and extent that the children are protected from attendant hazards.

There shall be adequate natural or artificial light in all part of the building used by children.

Electrical outlets within 42" of the floor shall be covered with a shield or other protective device when not in use.

Draperies and other furnishings which are easily flammable must not be used.

Toilets with hot and cold running water must be provided in a separate room and there shall be a minimum of one toilet and one washbasin for every 14 or fewer children. For water used by the children, there shall be automatic control to prevent the temperature from rising above 120°F.

Separate toilets and washbasins must be provided for adults.

The kitchen shall be separated from other rooms by door or gate.

There shall be a telephone other than coin-operated at the service for use in case of emergency.

For each child receiving care for four hours or more daily, there shall be provided a cot and individual blanket or other covering for rest or sleep.

For each child receiving care for four hours or less, there shall be provided an individual pad or blanket if rest is on the floor.

There shall be a separate room with a cot where a child who is suspected of having an illness may be kept away from other children until he can be taken home. If an office or family bedroom is used, it shall be used exclusively for this purpose during the time of isolation of any child.

Wholesome foods handled in a sanitary manner and attractively served shall be provided, in the variety and amounts necessary to meet the National Research Council Food Allowances, for all children under care for the periods of time specified below:

For 3 to 4 hours - light but nutritious midmorning or midafternoon snack.

For 5 to 8 hours - one third to one half of their food needs for the day in one regular meal (other than breakfast) and one or more snacks.

For 9 hours or more - two thirds of their food needs for the day in two meals and one or more snacks. Breakfast or evening meal shall be served only when study has shown it to be in the best interests of the child and his family.

In the event a child's lunch or other meal is sent by his parents, a midmorning and/or midafternoon snack may be provided by the service if the parent approves.

Fresh milk and milk products served to children shall be pasteurized and shall be kept at a temperature below 45 degrees Fahrenheit until mealtime.

Children with food allergies or other conditions requiring special diets or having vitamin supplements prescribed by a physician shall be served foods and/or supplements in the amount and variety requested by the signed order of this physician.

6. Special Notes

Authority for the licensing of day care services in accordance with State requirements has been delegated by the State Health Department to 90 local Boards of Health throughout the Commonwealth with the remaining towns and cities covered by the Department of Public Health Regional Health Offices.

Any local health department or board of health may establish higher standards and requirements than those contained in the rules and regulations issued by the Department of Public Health.

The rules and regulations for day care services in the Commonwealth of Massachusetts are currently under revision.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

State of Licensing and Consultation Division
Michigan Department of Social Services
Lewis Cass Building
Lansing, Michigan 48913

Miss Gladys Duppstadt, Supervisor
Day Care Centers and Nursery Schools

2. Legal Reference

Michigan Compiled Laws Annotated, Sections 722.101 - 722.108.

Nursery Schools and Day Care Centers - Recommended Standards and Requirements for Licensing, (DSS), 1968 (Informational Pamphlet #8 (8-68).

Day Care Centers Inspection Guide, (Fire Marshal Division, Department of State Police), 1969.

Minimum Health Guidelines for Group Care of Children (Michigan Department of Public Health), 1970.

Any agency or institution not a governmental unit having as 1 of its functions:

(1) To receive minor children for care, maintenance, training or supervision, and notwithstanding the fact that the care includes educational instruction, but excluding boarding schools which are deemed agencies or institutions accepting for board, care and instruction of 5 or more children under the age of 16 years; or

(2) To receive minor children for placement in a family home with a view toward adoption or for other foster home care; or

(3) To care for unmarried mothers and their children; shall be deemed to be a child welfare agency.

Minor children are children under 17 years of age.

Child welfare agencies include the following types of day care facilities: nursery schools, day care centers, parent cooperative nurseries, play groups or other similar units operated by a person, partnership, agency, organized group, society or corporation giving care to a group of children away from their own homes during any part of the day.

Two types of licenses are issued:

NURSERY SCHOOL

A day time group facility which has as its main objective a developmental program for pre-school children, and whose staff meets the educational qualifications as established by the Michigan Department of Education. The term "School" may be used only when the staff meets these qualifications.

DAY CARE CENTER

A day time group facility which gives care for preschool children away from their homes but which need not employ a teacher approved by the Department of Education. It provides a program which promotes the development of the individual child and is under the direction of a person with experience in child care.

"Pre-school" applies to the child from 2 1/2 years through 5.

("Center," as used in the summary below, includes both nursery school and day care center.)

3. Children Eligible, Adult/Child Ratios and Group Size

Each child shall have a medical examination performed by a qualified physician a maximum of 12 months prior to admission to the day care center and annually thereafter, or within 30 days of admission.

Each child enrolled shall have a health record signed by a qualified physician, kept on file by the director of the center and be available to representatives of the state or local health department. The health record shall include the following:

Any history of recent exposure to communicable disease;

A statement that the child has been examined and found to be free of communicable disease (including tuberculosis);

A record of tuberculin testing, date and the result of the test performed within 90 days before admission;

A record which states that the child has been completely immunized against diphtheria, whooping cough, tetanus, poliomyelitis, measles and vaccinated for smallpox and the approximate dates of these procedures, or that inoculation and vaccination took place at the time of examination and will continue to completion;

A description of all abnormal conditions which were found on examination.

Arrangements may be made for care of school age children outside of school hours when evidence of such need is presented. It is essential that staff be assigned to conduct a suitable program for these children during their out-of-school hours.

When the number of children in the nursery exceeds ten, full-time assistance for the director is to be provided, in the following ratio:

Minimum Ratio:

Age of Children	There shall be
2 1/2 and 3 years	1 adult assistant to each 10 children or fraction thereof, beyond the first 10
4 years	1 adult assistant to 12 children beyond the first 12
5 years	1 adult assistant to 20 children beyond the first 20
2 1/2 thru 5 years (mixed age group)	1 adult assistant to 10 children beyond the first 10

If 35 or more children are enrolled, the Director should be free from a regularly scheduled teaching assignment.

A minimum of two adults is required for any group of children to insure adult supervision at all times. When the group is small enough to be under the guidance of one person, the second person must be available in the center to assist upon call.

4. Professional and Other Qualifications for Staff

The Director or person in charge of a day care center shall have a minimum of two years of study at the college level.

Assistants should be under the supervision of the person in charge and should have some preparation for and experience in working with young children.

The head teacher or person in charge of programming of the nursery school shall meet the educational qualifications as determined by the Michigan Department of Public Instruction for nursery school assignment:

> A Bachelor's Degree in elementary education with an Elementary Provisional or Permanent teaching certificate and a minimum of 15 semester hours of credit in child development, or
>
> A Bachelor's Degree with a Secondary Provisional Certificate and a major of at least 24 semester hours in child development, or
>
> A Bachelor's Degree with a minimum of 15 semester hours of credit in child development and nursery education and a life certificate.

Assistant teachers in the nursery school should be under the direction of a fully qualified head teacher. They should have a minimum of two years of study at the college level and experience in work with groups of children under six years of age.

Members of the service staff should have a real liking for young children. They should be sufficiently flexible in performing their duties to adjust to the variations inherent in such programs.

Every person working in the center shall have a physical examination within 1 year prior to the time he or she is employed at the day care center (or nursery schools) or within 30 days after employment and annually thereafter. Such an examination shall include a stool examination for typhoid if there is a history of typhoid, and a test for communicable tuberculosis. The examining physician shall provide a statement certifying the person to be free of communicable tuberculosis including an indication of the method by which he determined this, and shall make any chest x-rays available to the health department if requested to do so. The tuberculosis test is required within 1 year before employment.

No person who is a known carrier of typhoid bacilli or has a communicable disease, including tuberculosis in a communicable state, shall be employed or reside in a day care center. Persons shall not work at the center on days when they have sore throats or colds. Adequate provision shall be made for substitute employees who have met all health requirements so that regular personnel can stay home when illness occurs.

5. Facilities

In the selection of a new site the location shall comply with applicable zoning regulations.

The building shall conform to the state and local building, plumbing, electrical, fire and other applicable laws, regulations and ordinances.

All housing shall be approved by the state fire marshal or local full time fire bureau.

Each center shall comply with the minimum standards for group day care children as established by the Michigan State Health Department and shall have the approval of the state or local full time health department.

If water is provided from a private well, the location, construction and maintenance is to be in compliance with Rules 325.1451 through 325.1461 (Certain Water Supplies) of the Michigan Administrative Code.

Disposal of either garbage or rubbish on the grounds shall be in accordance with the Michigan Solid Waste and Air Pollution Acts.

All liquid wastes from the day care center shall be discharged into a public sewer system when possible. When a public sewer system is not available the sewage disposal system shall meet state or full-time local health department requirements.

A center should report to the Department of Social Services any contemplated change in operations (including physical expansion of facilities). Plans for remodeling or construction of new buildings should be presented to the Department for review before work is undertaken. A complete set of plans and specifications for all new construction, additions, conversions and remodeling shall have the approval of the appropriate fire inspection authority before construction is commenced.

Before issuing a license, the Department of Social Services shall investigate the activities and standards of care of the applicant. . . The Department shall have the authority at any time to investigate and examine . . . the conditions of any home or other place in which a licensee . . . receives and maintains . . . children, and shall have the authority at any time to examine and investigate the books and records of any licensee. . .

The Department of Health may visit any licensee to advise on matters affecting the health of children and to inspect the sanitation of the buildings used for their care.

Every agency . . . other than a foster home . . . whose building or buildings house minor children shall be inspected relative to their fire safety by the State Fire Marshal (or appropriate municipal fire department) when requested by the Department of Social Services. An inspection and approval by the local full time fire department or State Fire Prevention Bureau and by the State or local full-time health department for the proposed housing of the center will be requested by the Department. With each renewal of application similar inspections will usually be requested annually by the Department.

Except under very favorable conditions, day care centers shall be conducted on the first or main floor of buildings only. Unless a building is of fire resistant construction, with stairways properly enclosed to provide protected exits to the outside, floors above the first shall not be used.

Spaces located partially below grade may not be used as day care centers unless approved in writing by the local health officer or the Michigan Department of Public Health and meet the following requirements:

Rooms located in the basement must be at least 50% above grade;

The floors and those portions of the walls below grade are to be of waterproof and damp proof construction;

There is a secondary means of egress available;

Complies with requirements for lighting and ventilation;

Complies with requirements for finish material of floors, walls, and ceilings.

The use of basement space is further subject to requirements imposed by the State Fire Marshal:

Basements shall be used only under very favorable conditions, and where the occupancy is separated from all other basement use by fire resistant walls and fire doors;

At least one of the required exits shall be direct to the outside from the occupied room or space.

Basements where a sufficient portion of the basement floor is not below grade so as to permit required means of egress exits without use of stairs or steps, shall be considered a first floor insofar as the intention of prescribed State day care center fire regulations is concerned.

There shall be at least 300 cubic feet of air space and at least 35 square feet of floor space per child exclusive of halls, baths, kitchens and closets.

There should be a minimum of 75 square feet of play area and at least 1,000 square feet of play area per child available to each day care center. There shall be adequate protection from hazards, such as traffic, dangerous playthings, etc.

All rooms used for play and story activities shall be provided with at least 20 foot candles of artificial illumination in all areas.

The heating plant shall have a proper capacity and be so located and operated as to maintain a temperature at approximately 70°F. at a point two feet from the floor.

Windows located on/or above the second floor accessible to children shall be equipped with bars or other devices at centers with children 4 years old or younger.

Every day care center operating more than 3 hours a day shall have at least one toilet and one lavatory for each 15 children or fraction thereof. Half day centers shall provide a ratio of at least one toilet and lavatory for each 20 children.

A washable cot shall be available for each preschool child if time spent at the center is longer than three hours.

An isolation room shall be provided for the isolation of any child having or suspected of having any communicable disease or any acute illness. This room shall have as minimim furnishings a cot and a chair and shall be of easy access to supervision.

Food provided by the day care center shall be of sufficient quantity and nutritional quality to provide for the dietary needs of each child, after taking into consideration meals served to the child away from the center.

Children in group care from five to eight hours a day should have one-third to one-half of their food needs for the day met at the center. This should be provided by serving one main meal and one or two snacks.

Children in group care longer than eight hours a day should be furnished at least two-thirds of their day's food needs. These may be provided by two regular meals and one or two snacks.

Children arriving at the center before 8:00 A.M. with little or no breakfast need food soon after they get to the center. This should include fruit or juice, cereal or egg, toast, and milk.

6. Special Notes

The cooperative Nursery School or Cooperative Nursery

These centers are organized by parents to provide good group experiences for their children and to study young children through active participation in the program.

If the teacher has a certificate approved by the Department of Education, the center may be licensed as a nursery school, otherwise it is licensed as a day care center. The ratio of assisting parents in such centers should be approximately one adult to every five children.

Centers for the Exceptional Child

When the purpose of a center is to care for exceptional children, additional qualifications for the staff may be required as determined by the need of the children, e.g., certificate in special education, or a smaller ratio of staff to children.

7. Political Subdivisions with Separate Licensing Regulations

Some of the larger cities or counties impose additional health requirements.

MINNESOTA

1. Licensing Agency and Contact

Minnesota Department of Public Welfare
Centennial Office Building
St. Paul, Minnesota 55101

Mr. Edwin Ferguson
Day Care Section

(Amendments to the Minnesota licensing law were approved on May 26, 1971. Pending revision of implementing regulations, the Standards in force on the date of enactment continue in effect (with the exception of any provisions in conflict with the 1971 amendments). The following summary reflects definitions and requirements in effect during the period covered by Day Care Survey 1970. Notes on the 1971 amendments appear in the section, "Special Notes.")

2. Legal Reference

Minnesota Statutes Annotated, Sections 257.081, 257.101 et seq.

Standards for Group Day Care of Pre-School and School-Age Children, (DPW), (Child Welfare Rule No. 3).

A "facility for foster care" means any facility which for gain or otherwise regularly provides one or more children, when unaccompanied by their parents, with a substitute for the care, food, lodging, training, education, supervision or treatment they need but which for any reason cannot be furnished by their parents in their homes. This includes but is not limited to the following: an institution, detention home, boarding home, free home, work home, children's home, day care home, day nursery, nursery school, or school for handicapped children.

A facility for foster care does not include the following:

(a) A home caring for a child placed there for legal adoption unless legal adoption is not completed within two years after placement;

(b) A home caring for children from no more than one family for a period of less than 30 days;

(c) A home caring for children related to the operator thereof by blood or marriage;

(d) A school which in the judgment of the commissioner of public welfare operates for the primary purpose of educating children, rather than for the primary purpose of providing a needed substitute for the care, supervision, food, lodging, education, treatment or training provided most children in their own homes;

(e) A facility for foster care under the management and control of the commissioner of public welfare, or the Youth Conservation Commission.

A facility for foster care shall not use the name "school" unless it also meets standards of education and teacher certification established by the state board of education.

"Children" means one or more persons under the age of 16 years or persons over 16 years of age if for reasons of mental retardation they still require the protection needed by persons under 16 years of age.

The term group day care refers to any facility that, for compensation or otherwise, regularly provides care for six or more children for all or part of a day.

Such group day care may be known as day nursery, nursery school, special school for pre-school children, day care center for school age children, after-school program, or vacation day care program.

A group day care center affords opportunities for physical, social emotional, and intellectual growth to the maximum of the child's capacity.

3. Children Eligible, Adult/Child Ratios and Group Size

Children shall be of appropriate age for the group:

Pre-School (3-5 years);

Primary (6-8 years);

Intermediate (9-11 years).

Special permission from the Day Care Section of the State Department of Public Welfare must be obtained for children who do not meet age requirements.

The child is socially and emotionally ready as determined by the person in charge of the facility after an individual interview with the parents and the child.

Parents shall present a physician's statement certifying that:

> The child has passed a physical examination within three months prior to admission. This should contain an evaluative statement about the child's special medical needs or problems.
>
> The child has current immunization against smallpox, diphtheria, whooping cough, tetanus, and polio.

Since the passage of a State law requiring measles immunization for children prior to their initial attendance in school, all group day care facilities are expected to require measles immunization as part of the child's health admission examination.

A health report confirming an examination by a physician must be a part of the records. This annual examination shall include statements of up-to-date immunizations and tuberculin test.

There shall be no discrimination because of race, religion, creed, or origin.

The ratio of children to staff shall not exceed 10 children to one staff person. This person should be with the children at all times and free from housekeeping or cooking responsibilities.

A responsible person should be readily available as a substitute when a staff member cannot be in attendance.

4. Professional and Other Qualifications for Staff

The staff shall consist of one or more persons who by virtue of training and/or experience are qualified to provide a sound and meaningful group care experience for children.

The term "school" may be used only by a center that has at least one teacher certified by the Minnesota State Department of Education. There should be one certified nursery school teacher for every 20 children. To qualify as such a teacher or teachers must be active on the premises during the major part of the daily program.

Each employee must be in good physical and mental health, and as evidence of this a report of a recent medical examination by a licensed physician must be submitted at the time of employment and annually thereafter. This report must include findings of a chest x-ray, vaccination for smallpox within the last five years, and current polio and diphtheria immunizations.

If the nursery group is to be in a private home, there must be information about the character and health of all members of the household.

5. Facilities

The building must meet local legal requirements for zoning, housing, sanitation, fire protection, water supply, and sewage disposal. Where there are no such local regulations, the recommendation of the State Board of Health and the State Fire Marshal shall be met.

The building in which the nursery group is housed must have the number of fire extinguishers determined by the State Fire Marshal. . .

A license for a group day care center is issued after consultation and review of the total program by an authorized agent of the Commissioner of Public Welfare. Every licensed facility for foster care is subject to visitation by the Commissioner. . .

Only ground or first floors that have at least two exits to the ground level shall be used for children, with the following exceptions:

> Upper floors may be used if they have more than one approved exit, safety rails on the stairways, and guards across windows and at the top of the stairways.
>
> Basements (50% below ground) may be used as an accessory space and must be adequately ventilated, warm, and free from dampness and must have at least 2 functioning exits.

There must be a minimum of 35 square feet of usable floor space per child, exclusive of hallways, bathrooms, lockers, kitchens, and floor space occupied by sanitary equipment.

There must be at least 75 square feet of useable outdoor play space per child; it must be safely enclosed to prevent children from leaving the premises unsupervised.

A minimum room temperature of 68° shall be maintained as measured at 24 inches above floor level.

Lighting shall be adequate in all rooms used by children.

There shall be at least one toilet and one wash bowl provided for each 15 children or fraction thereof.

There must be a telephone in the facility.

A cot must be provided for each pre-school child in an all-day program. If rest periods are included in a half-day program, each child who rests must have his own mat. Beds used by members of the household must not be used by the children.

There must be a protected space equipped with a cot, sheets, and blanket set aside for isolation in case of illness.

If children remain in the group for longer than 4 consecutive hours, a well balanced meal must be provided. If children bring lunches, supplements may be needed. A snack of nutritive value should be served in the mid-morning and/or afternoon. Food from home should be limited to factory packaged items in their original packages.

6. Special Notes

The operator of the nursery school should carry insurance protection, such as accident and liability or Workman's Compensation when appropriate. If transportation is provided by the facility, adequate insurance must be provided for all passengers.

The State imposes additional requirements on centers for handicapped children. "Additional Standards for Group Day Care of Physically and Mentally Handicapped Children" are incorporated in the Standards for Group Day Care.

1971 Amendments

"Day care facility" means any facility operated to provide care for children for limited periods of a day. Day care facilities include but are not limited to family day care homes and group day care centers.

"Group day care center" is a facility providing day care for six or more children at one time and includes but is not limited to facilities for children known as nursery schools, day nurseries, child care centers, play groups and day time activity centers.

"Family day care home" is a facility providing day care for no more than five children at any one home including the family day care home operator's own children under five years of age.

No person shall operate a day care or foster care facility or advertise or offer such facility without a valid license except:

(1) A home caring for a child placed there for legal adoption unless legal adoption is not completed within two years after placement.

(2) A home caring for children related to the operator thereof by blood or marriage.

(3) A facility under the management and control of the commissioner of public welfare or the youth conservation commission.

(4) A facility supervised or licensed by any other state agency.

(5) A facility caring for children from no more than one family, except that a foster care facility so utilized for a period of greater than 30 days must be licensed.

(6) A day care facility caring for children for periods of short duration while the parents remain on the premises.

(7) A day care facility doing business for a period of less than 30 days in any one year.

It is further provided that facilities which in the judgment of the commissioner of education operate for the primary purpose of educating children shall be exempt from the regulations governing the operation of foster care and day care facilities except insofar as the regulations affect the health and safety of the children therein.

"Children" means one or more persons under the age of 16 years. (L. 1971 Reg. Sess. c.539)

7. Political Subdivisions with Separate Licensing Regulations

MISSISSIPPI
(Voluntary Certification)

1. Certifying Agency and Contact

Division of Family and Children's Services
Mississippi Department of Public Welfare
P. O. Box 4321, Fondren Station
600 Woolfolk Bldg.
Jackson, Mississippi 39216

Mrs. Frances H. Williams
Day Care Supervisor

2. Legal Reference

Minimum Standards for Licensing Group Day Care Facilities for Children, (DPW), (effective February 26, 1965).

Facilities governed by these standards, by whatever name called, are those which care for seven or more children who are unrelated to the operator of the facility during a part of the 24 hour day.

The facilities to be licensed under these standards are:

Nursery School - a school for children from two through four years of age the primary purpose of which is to foster good growth and development through appropriate educational experiences based upon individual needs. This school usually operates for not more than four hours per day.

Kindergarten - a school for five year olds operating not more than four hours per day which provides educational experiences appropriate to the child's state of development and designed to meet his physical, social, mental and emotional needs.

Day Care Center - a facility which provides care for a child in a group for a part of the 24 hour day while the parent is out of the home or otherwise unable to care for the child. Day Care is designed to supplement and strengthen home life while it provides good educational experiences appropriate to the child's stage of development.

Note: No mandatory licensing law.

Day Care Centers for Pre-School Children.

If the day care center provides care for children ages two to six, it provides whthin the "long-day" the equivalent of a good nursery school or kindergarten program depending on the ages of the children cared for.

Day Care Centers for School-Age Children.

If the day care center provides care for school-aged children before or after regular school hours or if it provides day care for retarded or other handicapped children it provides a program suitable to the needs of the children cared for.

Others - All other facilities, such as play schools, play groups, day nurseries, etc., which provide part-time group care of children away from their own homes.

3. Children Eligible, Adult/Child Ratios and Group Size

Children under two years of age must not be accepted for care. (See Section 6, "Special Notes")

The parent must furnish a health certificate not more than one month old from a physician or from the county health department certifying that the child has had a complete physical examination and is free from communicable disease, and that there is no history of recent exposure to communicable disease.

A certificate by a physician or by the county health department showing that the following immunizations have been completed must be presented on admission to the center:

Diphtheria
Whooping cough
Tetanus
Poliomyelitis.

Other immunizations such as typhoid fever immunization shall be given if required by the county health department and if the local circumstances require it.

A tuberculin test shall be done on recommendation of the examining physician or the county health officer when indicated before admission of a child to a center.

The following table must be used in staffing the center. This teacher-child ratio must be maintained in all areas of programming, including outdoor play. The numbers in the table refer to number of children enrolled rather than to numbers in average daily attendance.

Age of Child	There must be
2 year olds	1 teacher for every 8 children for every 8 hours or less
3 year olds	1 teacher for every 10 children for every 8 hours or less
4 year olds	1 teacher for every 15 children for every 8 hours or less
5 to school age	1 teacher for every 20 children for every 8 hours or less
School age	1 teacher for every 25 children for every 8 hours or less

Because a child's age and state of development determine the size of the group in which he can be cared for, the following table must be used in grouping children. The number in the table refers to numbers of children enrolled rather than number in average daily attendance.

Age of Children	There must be not more than
2 year olds	8 children in each group
3 year olds	10 children in each group
4 year olds	15 children in each group
5 to school age	20 children in each group
School age	25 children in each group

In day care centers, the group may be mixed by age with no more than a two year age span provided that the size of the group does not exceed that specified for the youngest child in the group. For example, two and three year olds may be cared for in the same group if the size of the group is kept at eight, and four and five year olds may be cared for in the same group so long as the group is kept at fifteen.

At no time shall any child or group of children be left unattended. There must always be a second adult on the premises readily available to assist in emergencies.

4. Professional and Other Qualifications for Staff

The Director must be over 21 years of age and no more than 70 years of age. If the Director assumes any teaching responsibility, she must not be older than 65 years of age.

The Director must have at least two years of college work including courses in child development and the behavioral sciences. Two years of regular paid employment in a day care center or pre-school facility may be substituted for the two years of college work.

The Director must have administrative and supervisory ability.

The teacher must be over 21 years of age and under 65 years of age.

The teacher must have at least two years of college work including courses in child development and the behavioral sciences. Two years of regular paid employment in a day care or pre-school facility may be substituted for the two years of college work.

When the enrollment requires additional staff, assistant teachers may be used to work with the children. These assistant teachers must have high school education, be given in-service training or pre-employment training, and be of the temperament necessary for working with young children. Assistant teachers must have had the education or life experience so that:

> They are of at least average intelligence;
>
> They are able to work and speak grammatical English;
>
> They have an interest in, and basic knowledge of, the world around them.

The center must have sufficient service staff (such as cook, janitor, maid) to prepare food and keep the building clean and premises neat. In addition to ability to perform assigned tasks, service staff who have contact with the children should enjoy them and must be the kind of people with whom the children can spend time.

The staff of centers shall be expected to attend workshops, conferences, and in-service programs dealing with day care services for children.

All persons who care for children in centers or who must come in contact with their food or clothing shall be in good physical and mental health.

Each person caring for children in a center must have a medical examination at least once a year and must present a medical certificate from a licensed physician certifying that he is in good physical and mental health and is free from communicable disease. The medical examination must include medical history, physical examination, x-ray of the chest, or tuberculin test and such other laboratory examinations as deemed necessary by the physician or health officer. Laboratory examinations for the typhoid carrier state, syphilis and gonorrhea shall be done when deemed necessary by the physician, a regulatory agency or the sponsoring agency.

Every person preparing or serving food in center must have a food handler's permit from the local or county Department of Health.

If the physical fitness or mental and emotional stabitity of a person caring for children in a center is brought into question, the regulatory agency shall be empowered to call a panel consisting of a staff member of the State Department of Public Welfare, Child Welfare Division, a physician on the staff of the State Health Department or a county health department, and a licensed physician in practice in the community. The decision of this panel shall be binding and subject to review in six months if warranted by a change in the status of the examinee.

5. Facilities

The housing of all group child care facilities shall conform to local and state building codes and with local fire ordinances.

Heating systems shall be approved by local fire departments.

If food is served, the center must meet all conditions specified in "Regulations Governing Food and Food-Handling Establishments" of the State Board of Health. Proof of compliance must be submitted in the form of a written statement from the local health department.

It is further specified that if meals are served, all necessary kitchen equipment must be provided. The handling of food and care of dishes and kitchen equipment will be governed by State Board of Health regulations as set forth in "Regulations Governing Food and Food-Handling Establishments."

All centers shall comply with the State Board of Health regulation governing control of flies, mosquitoes, rats and other vermin.

An approved facility must report to the Department of Public Welfare any major alteration, addition to or change in the building.

A review of the program will be made periodically by a representative of the Department. Special consultation is available on request.

All facilities shall have an annual inspection by a local fire prevention officer.

All facilities must be maintained in a sanitary manner and must be inspected annually by the local health department and as often in addition to that as deemed necessary by the Health Department.

The center must be in a safe location. It is preferable to house children on the first floor. Under no circumstances may children be housed above the second floor or in basement rooms which are without windows that children can see out of.

There must be 30 square feet of indoor floor space per child. Halls used as passageways, bathrooms and kitchen, adjoining bedrooms, and floor space used by permanent built-in cabinets must not be considered as play space for children. The indoor space is to be used by the children for play and for materials, equipment, and furniture.

Although the total enrollment of a center may be sufficiently large to warrant several groups, each group of children (according to age), must have an area designated for its use for indoor activities. This area must be separate or partitioned off from other groups so that each group can function as an independent unit.

The outdoor play area provided must contain at least 65 square feet of usable play space per child. There must be adequate protection from hazards, such as traffic, dangerous play equipment, deep pools, holes, etc. If the play space is not fenced, such protection can be provided by adjacent building walls, thick hedges, etc.

There must be adequate light and ventilation in all parts of the building at all times. In order to insure that there is sufficient light and ventilation, the ratio of glass areas to floor area must be at least 1 to 8, additional artificial lighting as needed and provision for ventilation by either an adequate mechanical system or windows which can be opened at the top.

Separate kitchen area must be provided by those centers serving one or more meals during the day. This area must not be used for other purposes during food preparation.

There must be one toilet and lavatory for every 10 children under 5 years of age and one toilet and one lavatory for every 20 children age 5 and over.

If afternoon naps are a part of the program, a washable cot or mat for each child must be provided. Individual sheets and adequate covers (when necessary) must be provided. There must be a sufficient number of sheets to allow for changing once a week.

There must be a provision for an isolation area where a sick child may be cared for until he is taken home. A cot, bed linens and play equipment which can be sterilized must be provided.

The Day Care Center must make adequate provision for meeting the food needs of children in its care. If a child is in care for more than four hours, he must be served a hot, well-balanced meal. Each meal served must be planned to provide one third of the total daily requirements of the child. For Centers keeping children three hours or more, a mid-morning or mid-afternoon snack must be provided. (All snacks must include a fruit juice with Vitamin C content or milk). For centers keeping children more than five hours both a mid-morning and mid-afternoon snack must be provided.

6. Special Notes

The foregoing summary reflects established standards during the period covered by Day Care Survey 1970.

On February 9, 1971 the State Board of Public Welfare approved group care for children under two years of age. Facilities providing such care must meet the following additional requirements:

(1) The youngest age shall be no less than six weeks (preferably no child under three months will be accepted).

(2) The Adult-Child ratio shall be a minimum of one child care worker for every five children.

(3) Staff members must be assigned to specific children in order for the child to have the security of being handled, fed and cared for by one person.

(4) Each child shall have his own crib.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

Division of Welfare
Missouri Department of Public Health and Welfare
Jefferson City, Missouri

Miss Pauline Adams
State Day Care Consultant

2. Legal Reference

Vernon's Annotated Missouri Statutes, Sections 210.201 - 210.245.

Regulations and Standards for Licensed Day Care Centers (Day Nurseries), (DPHW), 1966.[1]

"Day care home" or "day nursery" shall be held to mean a house or other place conducted or maintained by any person who advertises or holds himself out as providing care for more than four children during the daytime, for compensation or otherwise, except those operated by a school system or in connection with a business establishment as a convenience for its customers, and except boarding homes for children. . . (V.A.M.S. § 210.201(2))

"Child" means and includes an individual who is under the age of seventeen. . .

Day care is care of a child away from his home or for any part of the 24 hour day, for compensation or otherwise. Day care supplements parent responsibility for the child's protection, development and supervision. Day care may be given in a family home or a day care center. . .

A day care center or a day nursery, as further defined by administrative regulation, is an organized group program, not in a family home, for children three years of age and older. Such facilities providing care for seven or more children are considered day care centers (day nurseries) and shall meet licensing regulations set forth for such service.

Aside from relatives, guardians and legal custodians, and personal friends providing child care, other statutory exceptions to licensing requirements include:

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[1] Revised regulations filed August 31, 1971.

Any graded boarding school, nursery school, summer camp, hospital, sanitarium or home which is conducted in good faith primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children;

Any well-known religious order; and

Any institution or agency maintained or operated by the state, city or county.

3. Children Eligible, Adult/Child Ratios and Group Size

Only children three years of age and older shall be accepted for care.

Children who are physically handicapped or emotionally disturbed shall be accepted only upon referral from a professionally qualified source.

Admission procedure must include a personal interview or interviews with parent to exchange information and to arrive at a joint decision about admitting the child.

The day care center shall require prior to admission a physician's report indicating that the child is in good general health, without defects or illness which would endanger other children in the group or make his participation in group activities inadvisable. (There may be an occasional situation where the need for day care is urgent and a physician's statement cannot be secured before admission. In such circumstances when the general health appraised is good, the child may be enrolled but the medical statement must be provided as quickly as possible and in no instance later than 30 days.)

All children shall be immunized against diphtheria, poliomyelitis, whooping cough, and vaccinated against smallpox unless the child's physician or religious belief gives reason for not immunizing.

There shall be a sufficient number of qualified persons on duty supervising the children during the hours the day care center is in operation to provide an overall ratio of not less than one adult to 10 children, ages 3 to 5 years and for children over five years, one adult to 15 children.

Persons employed for clerical, housekeeping and maintenance functions shall not be included as child caring staff in considering the child-staff ratio for regular supervision of children while performing other functions. These persons may be used as emergency substitutes if personal qualifications and duties permit.

There shall be an adult in charge of each group of children and another adult immediately available to substitute in case of emergencies. There shall be no less than two persons on the premises at all times.

4. Professional and Other Qualifications for Staff

All persons shall be of good character and equipped by education, training and experience for the work they are required to do.

Persons responsible for a group of children shall not be less than 18 or over 65 years of age.

The supervisor or other person (director) responsible for planning and supervising the activities of the children, should have completed at least two years of training (60 college hours) in an accredited college or university to include courses in education or related fields or have had at least two years of responsible full time paid experience (or its equivalent) in working with children in a group setting.

When the day care center employs or uses professional staff such as physicians, dentists, psychiatrists, social caseworkers, psychologists or nurses, these persons shall meet the professional standards set for these particular fields.

When the day care center provides casework service such service should be carried out by a duly qualified and experienced social worker, preferably a child welfare specialist.

Sufficient staff to carry out necessary clerical housekeeping and maintenance functions shall be provided.

All persons (including volunteers) shall be persons in good physical and mental health as established by a complete examination made by a duly licensed physician. Such examinations shall include a chest x-ray or other tuberculosis tests, serological tests, and any other laboratory procedures ordered by the examining physician. There shall be for each person an annual physical examination including chest x-ray or tuberculin tests and such rechecks as are indicated by the health history or any other unusual circumstances.

5. Facilities

The building and premises shall conform to construction, maintenance, water supply, zoning, and sanitation requirements of the locality. Certificates of compliance shall be requested and obtained.

The building and premises shall comply with regulations of the Safety and Fire Prevention Bureau of the State Department of Public Health and Welfare or the Director of the Division of Welfare may designate any instrumentality of a political subdivision of the State of Missouri to make such safety and fire prevention inspections for certification of compliance with local safety and fire prevention ordinances.

Heating equipment and air conditioning installation shall be subject to approval by the authority having proper jurisdiction.

The water and milk supply shall be approved by the local or state health authorities.

Prior to granting a license, the Division of Welfare will conduct a licensing study which will include whenever possible an office interview to discuss licensing requirements and one or more visits to the center as may be required to determine whether or not the center meets licensing requirements. After issuance of license, a worker will continue to visit the day care center at regular intervals throughout the year.1/

The playrooms shall provide sufficient floor area, occupied only by the children's play material and equipment to provide 35 square feet of floor space per child. When the day care center cares for school age children there shall be adequate space apart from the pre-school program for their use.

There shall be an outdoor play area adequate in size for the group in attendance, properly surfaced and fenced and conveniently located to permit children to reach it without hazard. There shall be a minimum of 75 square feet per child of outdoor play area at time of use.

1/ See also Special Notes, below, re delegation of investigation and inspection authority.

Temperature in rooms shall be maintained at 68° to 72° two feet from the floor.

All rooms used for the children shall have an adequate amount of sunlight with windows. Window space shall be at least one-eighth of the floor area of the room and 50% of the required windows shall be openable. Artificial lighting shall be at least 25 to 35 feet candle power.

One flush toilet and running water hand washing facilities shall be required for each 10 children receiving care. Separate toilet facilities shall be provided for staff.

Kitchens shall not be used for children's play activities, for napping, nor as passageways for children.

The day care center shall be equipped with a telephone unless this service cannot be provided by the telephone company.

There shall be a cot or bed and appropriate bedding (a sheet and blanket) available for each child who naps. Cots shall be well constructed.

Space shall be provided for the isolation of children who develop signs and symptoms of illness during the day. This shall be an area not used by other children.

Day care centers shall make adequate provisions for meeting the dietary needs of the children. The diet shall be planned according to recognized nutritional standards. The day care centers shall provide the child with approximately one-third to one-half of his daily food needs. A mid-morning snack of fruit juice or other light food and an afternoon snack of milk and crackers, fruit juice, or similar food shall be served to the children.

6. Special Notes

Children shall be regularly enrolled for every day of the week (5 or 6 days) or for specific days of the week and shall not be accepted for hourly, intermittent care. When a day care center provides intermittent, hourly care it shall limit service to this kind of care.

If transportation is provided by the day care center, proper insurance coverage must be provided.

The Division of Welfare may designate to act for it, with full authority of law, any instrumentality of any political subdivision of the state of Missouri or any child placing agency deemed by the Division of Welfare to be competent, to investigate and inspect licensees and applicants for a license.

7. Political Subdivisions with Separate Licensing Regulations

Kansas City.

St. Louis.

MONTANA

1. Licensing Agency and Contact

Division of Social Services
Montana Department of Public Welfare
P. O. Box 1723
Helena, Montana 59601

Mary Ann Baumgardener
Licensing Specialist

2. Legal Reference

Revised Codes of Montana 1947 Annotated, Sections 10-801 - 10-811.

State of Montana Standards Relating to Licensing of Day Care Centers for Children, (DPW, State Board of Health, Fire Marshal), 1968.

Day care facility shall mean any person, group of persons, association or place, incorporated or unincorporated, that receives for care during the day or part of the day, 3 or more children of separate families and continues this type of care for 5 or more consecutive weeks. It excludes the person who limits care to children who are related to him by blood or marriage or under his legal guardianship and all group facilities established chiefly for educational purposes.

Day care center shall mean any day care facility that receives 7 or more children for care 5 or more hours of the day for 5 or more consecutive weeks. It may include facilities known as child care centers, nursery schools, day nurseries, and centers for the mentally retarded.

Child shall mean any person under 12 years of age.

3. Children Eligible, Adult/Child Ratios and Group Size

Children under 2 years of age shall not be accepted in day care centers.

No child shall be admitted to a day care center, except in an emergency, before obtaining from his physician the medical information form prescribed by the Montana State Board of Health, stating that he is free from communicable disease and that he has been immunized, or is in the process of being immunized, against smallpox, diphtheria, tetanus, polio and measles.

In addition, children under five years of age shall be immunized against whooping cough. Any child with a history of measles would be considered immunized. These requirements would be waived only in the case of a signed statement by a physician indicating that immunizations would be contraindicated for health reasons.

Handicapped children may be included in the group provided a suitable program is provided for them and provided that there would not be a hazard to the other children. There shall be adequate staff who are familiar with and able to cope with problems.

Each group should have a full-time teacher and an assistant, and shall be limited to the number of children of a given age whose individual needs can be appropriately met. The desirable number of children in the different age groups using enrollment figures, is:

Age	Group Size
2 to 4 year olds	12 to 15 children
4 to 5 year olds	15 to 20 children
5 years old and older	20 to 25 children

There shall be at least two staff members available at all times. If the group exceeds 20 children, there shall be an additional staff member for each unit of children numbering up to 10.

4. Professional and Other Qualifications for Staff

Proper provision must be made for personnel with appropriate qualifications and in sufficient number to carry out the program according to approved standards.

Teachers and others who work directly with children should be selected on the basis of personal qualities as well as other qualifications.

Each day care center shall have sufficient staff to prepare food, and to keep the building clean and the premises neat.

Every person coming in contact with children in the day care center shall have an examination by a physician. The examination shall be for the purpose of determining that the person is free from any physical or mental illness which might conflict with the children's interest. It will include a test, or tests, to determine the presence, or absence of active pulmonary tuberculosis. This requirement would pertain to all employees and to all family members and others residing in the facility. All family members and other children residing in the facility, under 12 years of age, shall be immunized against diphtheria, smallpox, polio, and measles. In addition, children under 5 years of age shall be immunized against whooping cough. Any child with a history of measles would be considered immunized.

5. Facilities

The building shall meet the legal requirements of the community as to zoning, sanitation, fire protection, water supply sewage disposal. Where local regulations do not exist, laws and regulations of the Montana State Board of Health and the State Fire Marshal shall prevail.

In addition to regulations set forth in Fire Safety Standards for Day Care Centers (State Fire Marshal), all day care facilities shall conform to the Life Safety Code (National Fire Protection Association), as adopted by the State Fire Marshal, as well as local fire and building codes.

Water shall be from a source approved by the Montana State Board of Health. Any wells, springs, or cisterns in use shall be located, constructed and maintained in an approved manner, approved by the Montana State Board of Health. The Board of Health may require, when the day care center water supply is not from an approved public supply, periodic inspections and examinations of the water to determine its quality in the same manner as the Board does for public water supplies.

All plumbing shall be designed to meet the minimum requirements of the Montana State Plumbing Code. Where a public sewer system is available, all plumbing fixtures shall be connected to that sewer. Private sewer disposal systems shall be approved by the Montana State Board of Health.

Each applicant for a license to operate a day care center shall submit to the Department of Public Welfare certificates of approval indicating that fire safety rules and regulations and that State Board of Health rules and regulations have been met before a license can be issued. Certification by the Board of Health and the State Fire Marshal cannot be waived.

Upon receipt of the application for a day care facility, the State or county welfare department, shall, within a reasonable time, make an investigation to determine whether or not a license should be granted.

The State Department of Public Welfare is responsible for annual inspections of all day care facilities . . . The annual inspection responsibility is shared by the State Board of Health and the State Fire Marshal. Annual licenses are issued only if all of these agencies give their approval.

The annual inspection to determine compliance with the State Fire Marshal's Standards shall be made by the authority having jurisdiction.

> In municipalities, fire districts, or any other areas protected by an organized fire department, the fire chief or his appointed representative shall be the authority having jurisdiction.
>
> In areas not protected by an organized fire department, the County Sheriff or his appointed representative shall be the authority having jurisdiction.

Deviations shall be allowed only, where in the opinion of the authority having jurisdiction, equivalent fire safety conditions can be maintained.

Only ground, or first floor space may be used in caring for children, with the following exceptions:

> A warm, dry, well-ventilated and lighted basement with two accessible exits may be used for part-day sessions not exceeding three hours if basement meets the above requirements. In addition, basement must be attractive in appearance - no bare cement wall or floor or open beams shall be exposed.

> A basement area shall not be used for full day care.
>
> Upper floors may be used when they are entered from enclosed stairways with safety rails, have guards across windows and at top of stairs, and have two exits meeting requirements of State Fire Marshal.

The indoor area for play of the group receiving care shall contain a minimum of 35 square feet of usable floor space per child, exclusive of passageways, lockers, bathrooms and other space not primarily designated as play area. School children of the operator will not be included in making these calculations.

The outdoor play area shall contain at least 100 sq. ft. of usable play space per child, and shall be free from such hazards as pools, wells, machinery, and harsh abrasive materials such as gravel. It shall be so placed that attendants can keep all children in view at all times. If any part of the playground is adjacent to a highway, busy thoroughfare, or other hazardous area, the play area shall be enclosed with fencing.

The combined natural and artificial lighting shall reach a minimum of 25 to 30 foot candles in all parts of the room.

A temperature of 68° to 70°F. within two feet of the floor shall be maintained for children's play areas.

Kitchen facilities need to be separate from the playrooms . . . An automatic dishwasher using 180° temperature is recommended, preferably with an electric coil in it to dry dishes. Chemicals or hot water immersion may be used for sanitizing dishes.

There shall be at least one toilet and provision for hand washing in each day care center.

There shall be a telephone located on the premises and readily available for use in case of emergencies.

Napping facilities shall consist of individual cots, beds, or mattresses. . . Individual bedding shall be provided . . . For children receiving care for five hours, or less, washable individual rugs or pads may be used for a short rest period. Such rugs or pads should be used for no other purpose.

There shall be a suitable isolation room for the complete isolation of children who are ill, or suspected of having a communicable disease, where the child may be kept until arrangements can be made to send the child home.

Children remaining at the center for as much as 2 1/2 hours shall receive midmorning and midafternoon refreshments such as fruit, fruit juice or milk. All milk served shall be pasteurized. If children remain in the center for more than four hours, a full balanced meal, of at least one hot hot dish, shall be provided by the facility. This meal shall provide 1/3 to 1/2 of the child's total daily requirement of calories, protein, minerals and vitamins. Each meal shall consist of a main dish of meat, eggs, fish or cheese, or an adequate substitute, a vegetable, whole grain or enriched bread, or cereal, and butter, fruit and milk.

6. Special Notes

Public liability insurance and fire insurance shall currently be inforce for the protection of the operator, staff and the day care facility.

An application for a license is made to the State Department of Welfare through the county department of welfare in the county where the applicant lives. An applicant must take the initiative in contacting representatives of the State Fire Marshal's office and the State Board of Health for inspections of the day care facility.

The State has also developed guidelines for group care of migrant children. These are contained in "Information Sheet - Care of Migrant Infants in Groups - 0 to 3 Years of Age."

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

Division of Social Services
Nebraska Department of Public Welfare
1526 K Street
Lincoln, Nebraska 68508

Allan Maybee
Chief Child Welfare Consultant

2. Legal Reference

Nebraska Reissue Revised Statutes 1943, Sections 71-1901 - 71-1905; 71-901.

Minimum Standards for Licensing Child Care Centers Caring for Children, (DPW), 1967.

Child care shall mean engaged in the business of exercising the care, supervision, custody or control over children under 16 years of age for compensation or hire, in lieu of the care or supervision normally exercised by parents in their own home, but shall not include casual care at irregular intervals.

No person shall furnish, or offer to furnish, child care for two or more children from different families without having in full force and effect a written license issue by the department. . .

A child care center provides care for more than seven children over 2 years of age for any part of the day from 6:00 a.m. to 7:00 p.m. This includes the operator's own children or relatives' children, under 13 years of age. It may be located in an operator's home or in a setting away from the home. Seven children may be cared for until 12:00 midnight, providing an adult is awake during the time the children are in the home.

3. Children Eligible, Adult/Child Ratios and Group Size

It is recommended that children under 3 years of age be placed in family child care homes rather than in child care centers.

No child shall be accepted for care unless immunizations are in effect for smallpox, tetanus, diphtheria, whooping cough, and poliomyelitis. It is recommended that the operator encourage parents to obtain innoculations against measles.

Centers should require that each child have a thorough medical examination either at the time of admission or shortly thereafter.

The ratio of school-age children to an adult shall be 12 children for one staff person. Two staff persons may supervise 25 children.

The ratio of pre-school children shall be one staff person to seven children. Two staff people may care for a maximum of fifteen children. Three staff people may care for a maximum of twenty-five children.

When more than twenty-five pre-school children are receiving care, there shall be a maintanance person engaged.

There shall be four staff people (including maintainance person) when twenty-six to thirty pre-school children are receiving care.

There shall be five staff people (including maintainance person) when a maximum of forty pre-school children are receiving care.

Where both school-age children and pre-school children are receiving care, the ratio of pre-school children to an adult shall prevail.

Personnel to substitute for staff members who are on sick leave or vacation shall be available.

4. Professional and Other Qualifications for Staff

Operator and staff shall not be more than 65 years of age.

The Administrator shall be a reliable and efficient person of good moral character as determined by references, the licensing worker's evaluation, and clearance with local police records. She shall be between 21 and 65 years of age.

It is recommended that the administrator have four years of training in a college or university with emphasis on nursery school education, child development or related field. Work experience in school teaching, or employment in a child care center or institution can be a satisfactory substitute for formal training.

It is recommended that the staff person should have college training in nursery school education.

There shall be sufficient maintenance staff to assume responsibility for cooking meals, washing dishes and cleaning.

An adult 21 years of age or orver shall be present in every child care center. Persons between 16 and 21 years of age may be used as staff only when an adult over 21 is present at all times.

The State requires a written report signed by a licensed physician for operators and staff persons in homes giving care to children during the day. The report, which shows that the applicants and staff are free from infectious or contagious diseases and that they are physically and mentally capable of caring for children, includes the results of a tuberculosis examination and a serological test for syphilis. The prescribed medical report forms are to be submitted with the application for license. The same procedure used in licensing is repeated in licensing.

If the center provides transportation, the driver shall be subject to the same requirements for health examinations as other staff members.

5. Facilities

All centers shall conform to state and local health and sanitation standards.

All centers shall conform to state and local fire prevention standards.

The applicant is responsible for determining that all local zoning requirements and building codes and ordinances have been met.

Water shall meet current standards set up by the State Department of Health as to bacteriological, chemical and physical tests for purity.

Ice used for cooling drinking water or food products by direct contact shall be made from water that meets the State Department of Health standards for drinking water.

All plumbing shall conform to the local plumbing code. Where no plumbing code is in effect, plumbing shall conform to the National Plumbing Code ASA A40.8-1955.

Sewage and all liquid wastes shall be discharged into a municipal sewerage system where such system is available. If it is not available, the sewage shall be collected, treated and disposed of in an independent sewage system which complies with the practice recommended by local ordinances, but where such do not exist, they shall comply with regulations established by the State Department of Health.

Pasteurized Grade A milk and milk products, as defined by the State Department of Agriculture and Economic Development shall be used. Dairy products not included in definitions as Grade A shall be from approved sources.

Mechanical dishwashing machines may be approved by the regulatory authority for cleaning or sanitizing equipment and utensils if it can be readily established that such machine will routinely render equipment and utensils clean to sight and touch, and provide effective bactericidal treatment.

Building changes must be reported to the Division of Social Services.

When the completed application form is received requests for fire and sanitation inspections will be made by the Division of Social Services. The State Fire Marshal shall take responsibility for determining fire safety measures for each center providing care to children or by delegating this responsibility. Compliance with sanitation standards shall be determined by the State Environmental Health Services. SEHS may delegate this responsibility to local health agencies.

A representative of the Division of Social Services shall visit and study each center requesting an application to provide care for children. The Division may delegate this evaluation responsibility to licensed child-placing agencies or to County Divisions of Public Welfare. A representative shall visit on a continuing basis to assure that standards are being met.

Centers should be located on the ground floor. Second story space may be used only if it is approved by the fire inspector.

Any basement area used by children shall be for play or activity only, and shall not be used for sleeping.

> If used for play, approval shall be given by the fire inspector.
>
> A basement area used by children shall meet sanitation standards.
>
> There shall be two outside exits, one leading directly to the outside.
>
> The basement shall be warm, dry, well ventilated and lighted.
>
> Children shall have no access from basement play or activity area to other basement areas.

The building shall provide thirty-five square feet of indoor floor space per child, not including the bathroom, halls kitchen or basement.

Rules for center operation prescribe that a fenced outside play area shall be provided for pre-school children. . . Sanitation regulations further provide that the play area, where children between 18 months and five years are being cared for, shall be fenced, and that there shall be no barnyard animals or fowl inside the fenced area. The recommended height for a fence is four feet. It is desirable that outdoor play space measure 72 square feet per child.

All rooms shall be well lighted. The window area shall be not less than 1/8th of the floor area. Each sleeping room shall be an outside room with natural lighting. Working surfaces where food is prepared or utensils are washed shall be lighted with no less than 20 foot candles. Hallways, stairways, inclines, ramps, entrances, and storage rooms shall be lighted with not less than 10 foot candles. Rooms devoted to the care of children shall be located so they receive sunlight during part of the day.

The heating plant shall be adequate to maintain 75°F. in all rooms used by children and the temperature of the rooms will be maintained between 70°F. and 75°F. at floor level.

Every home shall be provided with conveniently located toilet facilities at the ratio of one toilet to ten children. There shall be one toilet on the first floor where more than four pre-school children are receiving care.

Hand-washing facilities shall be provided at a ratio of not less than one lavatory to each toilet. Hot and cold running water and soap shall be provided. Water temperature at the lavatory shall not exceed 120 degrees Fahrenheit.

Homes which do not have adequate and effective facilities for cleaning and sanitizing utensils shall use single-service articles. All single-service articles shall be stored, handled, and dispensed in a sanitary manner, and shall be used only once.

The center shall have telephone service.

Napping facilities shall be provided for children receiving child care if in the center for more than three hours. A child-sized cot shall be provided for each child. Clean sheets and coverlets shall be provided for each child. Floor mats shall not be used.

Facility for isolation of ill children must be provided. Such space must be located near supervisory staff. It should contain a cot and toys which can be sterilized. If at all possible, the isolation area should be located near a bathroom.

Simple wholesome food shall be served to children in quantities suitable to their ages and activities. A morning snack, a noon meal and an afternoon snack shall provide 1/3 of the child's daily nutritional requirements. Children in group care for from 5 to 7 hours shall be provided with 1/3 to 1/2 of their food needs for the day at the center. A mid-morning and after-nap-time snack shall be provided for the pre-school child. An after school snack shall be provided for older children.

6. Special Notes

It is noted that in the regulations that ordinary liability insurance does not protect children in child care. It is recommended that operators desiring this protection should seek out a reliable insurance broker or agent to obtain suitable coverage for the type of child care they provide.

If the center provides transportation, the operator should carry adequate automobile liability insurance to provide protection for all passengers.

Rules governing center administration require that a tax supported agency shall have an advisory committee for its child care program.

Responsibilities normally discharged by a Licensing Representative of the State Division of Social Services may be delegated to a member of a county division of public welfare or to a licensed child welfare agency.

Revised and rewritten day care center regulations were approved in September 1971. The State has also developed infant care regulations which are pending approval.

7. Political Subdivisions with Separate Licensing Regulations

Lincoln and Omaha have municipal codes which govern the operation of day care homes, day care centers, and nursery schools. The operator of a center must secure a city permit before the State will issue a license.

1. Licensing Agency and Contact

Welfare Division
Nevada Department of Health, Welfare and Rehabilitation
201 South Fall Street
Carson City, Nevada 89701

Mr. Ray Cutshall

2. Legal Reference

Nevada Revised Statutes, Sections 424.110-424.160.

Standards and Regulations for Child Care Facilities (Group Day Care), (Nevada Welfare Division).

It is unlawful for any person to operate a child care facility in this state for compensation without securing and having in full force a license issued by:

> The welfare division of the department of health, welfare and rehabilitation; or
>
> A county or incorporated city in compliance with the provisions of NRS 424.160.

A child care facility means any home, private institution or group furnishing care on a temporary or permanent basis during the day or overnight for compensation to five or more children under 16 years of age who are not related to each other. Child care facility does not include:

(a) The home of a natural parent or guardian, public institution or maternity home; or

(b) A home in which the only children received, cared for and maintained are related within the third degree of consanguinity by blood, adoption or marriage to the person or persons maintaining the home; or

(c) A home, private institution or group furnishing care on a temporary or permanent basis during the day or overnight for compensation to two or more children under 16 years of age, all of which children are related to each other.

The provisions of NRS 424.110 to 424.150, inclusive, (state licensing act) shall not apply in any county or incorporated city where the governing body has established a licensing agency and enacted an ordinance requiring that such child care facilities be licensed by such county or incorporated city. Such licensing agency shall make such rules and regulations as may be necessary for the licensing of child care facilities, which rules and regulations shall take effect from and after their approval by the welfare division of the department of health, welfare and rehabilitation. (NRS 424.160)

A group day care facility (one class of "Group Child Care Facility") is one where a person provides, for compensation, care for five or more unrelated children under 16 years of age less than 24 hours per day.

3. Children Eligible, Adult/Child Ratios and Group Size

Before admission and annually thereafter, every child shall have a health examination by a licensed physician. The examiner shall certify that the child is free from communicable disease, that it will not be harmful for him to participate in normal activities with other children, and there is no need for any special restrictions or for special diet.

Another examination shall be required by the director at any time there is reason to believe the child has any condition which may be hazardous to the welfare of the other children. . .

It shall be required that there is evidence of immunization from the communicable diseases of smallpox, diphtheria, tetanus, whooping cough, and poliomyelitis. This requirement will be waived if contrary to the parent's religious convictions.

Directors shall have the assurance from parents that the child has not been in contact with a contagious disease during the two weeks prior to admission to the facility.

For those facilities which accept children under two years of age there shall be one adult for every two children under two years of age and the total number of children in care shall not exceed eight.

In facilities taking children aged 2 to 6, there shall be one adult for every group of 10 children in care.

In facilities offering after-school care or pre-kindergarten instruction only, there shall be one adult on duty working directly with the children for each group of 15 children.

When school age and pre-school age children are accepted for care, facilities for separation of children into age groups shall be provided, with adequate staff to conduct the program for each age group.

In facilities offering care to some children during the day and different children at night, separate staff shall be on duty with the children. No staff member who is on duty with the children shall sleep during duty hours. Number of staff on duty with the children shall be determined by the licensing worker according to age group of children and hours when care is given.

All children in care shall be counted in the total number, including children of the director and staff members, in relation to personnel and physical facility requirements.

No facility will operate unless one adult staff member is available at all times.

Center capacity is determined by:

Physical strength, skills and ability of the director;

Physical plant and equipment of the facility;

Number of hours and program care offered;

Number of staff members.

Special personnel such as nurses, cooks, and others with specific responsibilities other than child care shall be excluded from the count in considering the number of staff members.

(See also Special Notes (p.8) re hours of care.)

4. Professional and Other Qualifications for Staff

The entire child caring staff should have had experience in caring for children of the age groups for whom facilities plan to care. Whenever possible, it is desirable that child caring staff have professional training in early childhood development and education.

All child care staff shall

Be between 18 and 65 years of age;

Be emotionally and physically able to care for children and capable of handling emergencies and accidents;

Submit required forms, health certificate, and references;

Be subject to fingerprinting and a check of law enforcement records.

There shall be a person in charge who is responsible for the administration of the group day care facility. In addition to meeting the standards required for all child care staff, the director shall:

Be at least 21 years of age;

Have supervisory and administrative ability;

Have had 2 years of training in the field of work with children, such as social work, nursing, or teaching; or, 2 years of successful experience, under supervision, in working with children. Directors who do not meet the training or experience requirement may do so by attending workshops or institutes acceptable to the Welfare Division

In the absence of the director, there shall be a person in charge capable of carrying on his functions. This person shall not be under the age of 21 year.

If the facility considers itself a school, qualifications of the teachers shall be evaluated in consultation with the certification supervisor of the State Department of Education.

At the time of initial application or employment, all staff members and/or members of the household are required to obtained a health certification from a physician.

For all adults, 18 years and over, the health certification shall verify that the individual is free from communicable disease and is physically and emotionally able to care for children. A chest x-ray and serology is required and other tests may be required as clinically indicated.

For children who are members of the household, the health certification shall verify that the child is free from communicable disease.

At least every two years thereafter, or whenever indicated by the examining physician or deemed necessary by the licensing worker, a new health certification is required. For adults a chest x-ray is required annually.

5. Facilities

The Day Care Facility must comply with all local ordinances relative to zoning or privilege licensing. A business license may be required in some localities.

Specific building requirements to establish safety from a fire and health stand-point vary somewhat from community to community but the Division will ascertain that buildings meet at least minimum standards. Specifics which are considered for these purposes are incorporated in the Standards as Appendix I under the title Building and Fire Code Requirements.

If the water supply is from other than a public source, the water system's location, constructions and operation shall comply with the standards approved by the Health Division.

The food handling permit shall be posted in the kitchen of the facility.

All cooking and eating utensils shall be stored according to the Health Division regulations.

If a group day care facility is extensively remodeled, or if an existing structure is converted for use as a child care facility, properly prepared plans and specifications for such remodeling or alteration shall be submitted to the Welfare Division for approval before such work is begun. Child care facilities hereafter constructed should have their plans submitted to the Division for review and approval prior to construction to avoid later difficulties in obtaining a license.

At the time of application for license and at least annually thereafter, a group day care facility shall be inspected by the appropriate regulatory agency to insure that fire and safety standards are being met. The Welfare Division reserves the right to request a fire inspection at any time it deems appropriate. Each floor shall be equipped with the proper type of fire extinguishing equipment as recommended by the fire inspector. Such equipment shall bear a current inspection stamp.

There shall be an initial and periodic inspection of the day care facility and premises by the representative of the Welfare Division with regard to standards of housekeeping and general repair of the facility. The building and premises shall be clean, sanitary, and in good repair. When deemed appropriate, the inspectors of other regulatory agencies shall be requested to inspect the facility and premises for conformance to all regulations with regard to sanitation, water supply, garbage and sewage disposal. If occupancy is eleven or more, an inspection by the Health Division shall be required.

A representative of the Division shall visit each facility after receipt of the application and shall decide whether the facility meets the minimum requirements and determine the maximum capacity. A representative of the Division may visit at any time to determine compliance with the standards and will be available for consultation as appropriate.

Only the ground floor level shall be used by children unless the fire inspector grants an examption and unless there are two exits from the second floor rooms. Basement rooms may be used for play space but never for sleeping or resting.

Indoor space for children shall be at least 35 square feet of floor space per child exclusive of space for bathrooms, kitchen, halls, offices, and stairs.

Outdoor space shall be at least 75 square feet per child. The play area shall be enclosed by a five feet non-climable fence, well-drained, partly shaded, and free of debris, trash, or hazards of any kind.

No animals shall be maintained or permitted to remain on the premises of a group day care facility unless they are housed and maintained in a safe and sanitary manner at all times.

In facilities serving more than ten children, an exhaust fan shall be installed above the stove to remove cooking odors and excess steam due to food preparation. The fan shall be maintained in a clean, grease-free condition.

All eating utensils shall be single service tableware or shall be cleaned either with chlorine rinse or a dishwasher with a rinse of 180°F.

One toilet and wash basin shall be provided for every 10 children. Separate facilities for boys and girls shall be provided for all children six years old and over.

Every group day care facility shall have a telephone.

Individual cots or beds are required for napping. Beds must be used for night sleepers. Children shall not use beds of staff members. Children may use beds of members of the household for napping if individual linens are laid over the bedspread and each child has his own blanket and pillow. Sheets and blankets of family members shall not be used by children in care. No bunk beds with more than two tiers shall be used and children under six may occupy only a lower level bunk. The upper bunk shall have safety guard rails. Individual bedding shall be provided by either the parents or the day care facility. Bedding shall be laundered as needed and always upon change of occupancy.

The facility shall provide an area for temporary isolation of ill children which is within sight and hearing of a staff member.

Children in care during normal mealtime hours shall be served balanced meals. Simple nourishing snacks shall be served mid-morning and mid-afternoon. All milk used shall be pasteurized Grade A.

6. Special Notes

A child care facility shall be licensed to offer only one type of child care. Day care and twenty-four hour care shall not be provided in the same facility.

Each group day care facility shall carry public liability insurance in the amounts appropriate for protection of all concerned. A "Certificate of Insurance" shall be required to verify that the policy is in force. In case the policy is cancelled or not renewed, notice of sucy action shall be sent to the Welfare Division 20 days prior to the effective date of cancellation or non-renewal.

Any religious training offered shall have the approval of the child's parents.

It is usually undesirable that children are brought into or taken from a facility between the hours of 9 p.m. and 7 a.m. since these are the ordinary sleeping hours for children. However where the work schedule of a parent requires that children must be brought at irregular hours in the late night or early morning, a provision shall be made for appropriate sleeping facilities and the program shall be adjusted. If the child regularly remains in the facility for more than eleven consecutive hours, consideration will be given to application of standards for full-time care or to referral of the child for foster family care.

Another class of group child care facility which must be licensed is the Group Recreation Facility. Recreational care in an adult recreation area is that type of care provided up to five hours a day while parents or guardians are engaged in adult recreation which prohibits the accompaniment of children. Such care is covered under separate standards entitled Group Recreational Facilities; the standards for Group Day Care are not applicable to these facilities.

7. Political Subdivisions with Separate Licensing Regulations

Clark County,

Washoe County

City of Las Vegas

NEW HAMPSHIRE

1. Licensing Agency and Contact

Division of Welfare
New Hampshire Department of Health and Welfare
1 Pillsbury Street
Concord, New Hampshire 03301

Miss Barbara A. Hanus, ACSW
Chief, Bureau of Child and Family Services

2. Legal Reference

New Hampshire Revised Statutes Annotated 1955, Sections 170:2 et seq.

Regulations and Standards for All Day Care Facilities, (DHW), 1968.

Regulations and Standards for Group Day Care Facilities, (DHW), 1968.1/

> A child caring agency is any person, firm, corporation or association who (1) operates or maintains a boarding home, foster home, or institution for children or (2) receives for foster care, custody or control one or more children under the age of sixteen years unrelated by blood or marriage and separated from parent or guardian, except children committed by a court, or during part or all of the day regularly gives care to one or more unrelated children, under twelve years, whether or not the care is given for compensation, and whether or not the service is known as a family day care home, child care center, day nursery, day care agency, child development center, nursery school, kindergarten, play school, progressive school, or by any other name. The term child-caring agency does not include a bona fide summer camp, a hospital, a public school, a private school approved by the State Board of Education or a private home or other facility in which a child is left by his parent or guardian for temporary care for a period not exceeding 30 days in any calendar year... 2/

1/ Later edition published in 1971.

2/ See Special Notes, below, for amended definition of child-caring agency

A group day care facility includes any facility which gives day care to seven or more children from three to sixteen years for part of the 24-hour day. Such facilities include a private nursery school or kindergarten, a day care center, day nursery, or any other facility which cares for seven or more children. These may be privately operated or sponsored by a church, social agency, cooperative group of the community or any agency other than the public schools.

Nursery Schools and Kindergartens are educational enterprises for preschool children. The former enrolls three and four-year olds; the latter five-year-olds or those entering school the next year. In all qualified nursery schools or kindergartens there is a teaching staff whose educational background includes graduation from an accredited four-year college with major work in early childhood education. They may be privately owned or sponsored by a community agency. Some are parent-cooperative endeavors; some are laboratory schools attached to universities. Some are for exceptional children - the deaf, blind, mentally or emotionally handicapp Most nursery schools and kindergartens operate a half day.

Play Groups or Play Schools are usually organized and operated by a group of parents who wish to provide desirable social activities and wholesome play for a small group of children.

(The summary below reflects regulations in effect during the period covered by Day Care Survey 1970.)

3. Children Eligible, Adult/Child Ratios and Group Size

No child shall be admitted until the service has received a physician's report showing:

> That the child has been or is in the process of being satisfactorily immunized against small pox, whooping cough, tetanus, diphtheria, polio and measles unless there is a medical reason why these are not to be done;
>
> That the child over three years of age who was immunized over two years previous to admission shall receive a booster of polio unless contraindicated on medical grounds;
>
> The presence of any condition affecting the general health of the child, any handicap, and shall include suggestions that would be helpful to the service.

(Hearing and vision screening and TB testing should ideally be incorporated into the physician's evaluation, and hemoglobin and urinalysis as indicated.)

The health examination shall be repeated each year as long as the child attends the service.

Health examination regulations shall not apply where parents object to them on religious grounds.

Children should be grouped by age as much as possible both to protect younger and smaller children from roughness of older children and to place appropriate expectations on a given age group in activities and relationships. Desirable numbers for groups should be:

Age	Group Size
three to four-year-olds	12 to 15 children
four to five-year-olds	15 to 20 children
five to six-year-olds	15 to 20 children

There shall be a minimum of two persons on the premises during the hours of operation, one of whom shall be 21 or over and the other not under 16 years of age. The children shall not be left unattended at any time.

4. Professional and Other Qualifications for Staff

Any person serving as director, head teacher or teacher in a private center or preschool shall be 21 years of age or over. In addition, this person shall file with the Division of Welfare photostatic evidence of the successful completion of a secondary education.

The director or head teacher of a private child care center, nursery school or kindergarten should be qualified by professional knowledge, training and experience in the fields of education, child psychology, or social work. He should have completed a four-year college or university program with a major in early childhood education or social services, or he should have completed a four-year college or university program, plus a minimum of 12 semester hours in early childhood education.

An assistant teacher should work under the direction of the head teacher or teachers and should have completed, in addition to a secondary school program, a minimum of six semester hours in early childhood education.

Any person working directly with young children in a day care center, nursery school or kindergarten should make every effort to attend workshops, college on-campus or extension courses, adult education courses and educational television courses that are offered in the field of early childhood education in order to strengthen competencies in working with children.

All staff members must file a certificate with the director of the center before beginning work, signed by a physician officially licensed to practice medicine, stating he or she has been examined within 90 days of starting work, and is free of any mental or physical illness which might adversely affect the welfare of the children. The examination shall be repeated every year. . . Each staff member shall also file annually with the director a report, from a physician officially licensed to practice medicine, of a negative intradermal tuberculin test or a negative chest x-ray which shall have been performed within 90 days. When medically indicated, examination may be required more frequently.[1/]

5. Facilities

Any day caring facility must adhere to local zoning laws regarding the care of any number of children.

The building to be used for housing children shall comply with all state and local health and sanitation laws. . . and shall be open to inspection by state or local building inspectors.

Group day care facilities shall conform to all local and state fire and safety laws, regulations and ordinances, and approval registered on a prescribed form accompanying application for a license. Where no more stringent laws and regulations affecting buildings are enforced locally, fire and safety provisions of the Regulations for group facilities shall be deemed minimum requirements for licensing by the Division of Welfare. Such groups shall be inspected by local fire officials or the State Fire Marshal's Office, as it relates to the standards of fire and safety set forth in the Regulations. . .for Group Day Care Facilities.

Emergency lighting shall be established to maintain sufficient illumination in case of power failure in accordance with Cocoanut Grove Law Specifications. (See Rules and Regulations of the State Board of Fire Control.)

Applicants will be visited by a social worker from the Division of Welfare who will evaluate the facility.

[1/] See Special Notes, below, for new statutory provisions (1971) relating to staff health.

No day care facility shall be occupied by children above the second floor. The law of habitation shall prevail in cases of occupancies below ground level. (This law requires one side of building from cellar opening out on level ground or above cellar level.) Where rooms below ground level are used, the furnace, central burner and boiler shall be enclosed with fire-resistant material with a two-hour fire rating.

There shall be at least one room for the exclusive use of each group of children and the staff caring for them. There shall be a minimum of 35 sq. ft. per child of floor area in quarters regularly occupied by children. This space shall be exclusive of hallways, lockers, wash and toilet rooms, isolation rooms, kitchens, closets and offices.

There shall be an outside play area which shall be free from hazards such as hidden corners, unprotected pools, well, steps; poisonous plants such as poison ivy; farm or lawn machinery or implements. If any part of the play area is adjacent to a highway, on the rool, or in other dangerous areas, fencing shall be provided of such construction and extent that the children are protected from attendant hazards. The outdoor play space shall contain at least 75 sq. ft. of useable play space per child using it, and the average width shall not be less than 8 ft.

The kitchen shall be separable from other rooms by door or gate so that the child has access to it only under supervision, and shall be used only for the sanitary storage and preparation of food and washing and sanitization of eating and drinking utensils. . . Adequate facilities for the sanitization of eating and drinking utensils. . . Adequate facilities for the sanitization of dishes and utensils shall be provided. All utensils used in the storage, preparation and serving of food shall be washed in warm water with soap or detergent and subsequently sanitized by immersion in water at a temperature of not less than 170 degrees Fahrenheit for not less than one minute, or by immersion in chlorine or other approved bactericidal solution. All such utensils shall be air dried. Dish towels shall not be used to dry such utensils.

Toilet facilities shall be provided in a separate room with. . . a minimum of one toilet and one washbasin for every 15 children.

Hot and cold water shall be provided. For water used by children there shall be an automatic control to prevent temperature rising above 120 degrees Fahrenheit.

There shall be a telephone available on the premises.

In centers operating a full day's program, each child shall be assigned a separate cot or bed with washable covers and appropriate clean bedding.

There shall be a room with a cot for children requiring isolation from the group in case of emergency illness or when a child needs to be by himself. (If an office or family bedroom is used, it should be used exclusively for this purpose during the time of isolation of any child. Such a room should be located where children (the isolated child) can be close to a staff member and not feel alone.)

Wholesome foods handled in a sanitary manner and attractively served shall be provided, in the variety and amounts necessary to meet the National Research Council Food Allowances. When children are cared for:

3 to 4 hours	- light but nutritious midmorning or midafternoon snacks, given at least two hours before next meal.
5 to 8 hours	- 1/3 to 1/2 of total daily food needs given in one meal (other than breakfast) and one or more snacks.
9 hours or more	- at least 2/3 of total daily food needs given in two meals and one or more snacks. Breakfast or evening meal should be served only when study has shown it to be in the best interests of the child and his family.

Fresh milk and milk products served to children shall be pasteurized. . .

Children with food allergies or other conditions requiring special diets or having vitamin supplements prescribed by a physician shall be served foods and/or supplements in the amount and variety requested by the signed order of the physician.

6. Special Notes

1969 amendments to the licensing law added provisions relating to effective dates of regulations. Facilities licensed prior to January 1, 1968, were to comply by January 1, 1970, but in hardship cases could have been granted an extension to January 1, 1971.

1971 Amendments

A child-caring agency is any person, firm, corporation or association who:

I. Operates or maintains a boarding home, foster home, or institution for children, or

II. Receives for foster care, custody or control one or more children under the age of sixteen years any one of which stands in a relationship to the operator of the child-caring agency more distant in the degrees of kinship, by affinity or consanguinity, than second cousin who are separated from their parent or guardian, except children committed by a court; or during part or all of the day regularly gives care to one or more children, any one of which stands in a relationship to the operator of the child-caring agency more distant in the degrees of kinship, by affinity or consanguinity, than second cousin, whether or not the care is given for compensation, and whether or not the service is known as a family day care home, child care center, day nursery, day care agency, child development center, nursery school, kindergarten, play school, progressive school, or by any other name. . .

In order for a license to be granted under the provisions of RSA 170:3, annually the child-caring or child-care agency shall present to the division of welfare, department of health and welfare, certificate of good health from a duly licensed physician for each person or employee who comes in contact with children either directly or indirectly in a significant manner or for a significant time each day in the agency of that person, firm, corporation or association. Any person or employee having said contact with the children, but who came to the agency subsequent to the presentation of health certificates to the division of welfare shall be required to present said certificate to the division of welfare before assuming any contact with the children in said agency. The director of the Division of Welfare, Department of Health and Welfare, shall have the power to refuse to issue a license under the provisions of RSA 170:4 and the power to revoke a license under the provisions of RSA 170:5 for noncompliance with the provisions of this section.

> The certificate required by the provisions of RSA 170:19 shall be a form approved by the Welfare Division, Department of Health and Welfare, and shall contain a statement signed by a duly licensed physician that he has found the individual to be free of communicable disease, and physical and mental impairment. In order to make this determination the physician shall, as a minimum, administer and interpret a tuberculin skin test or have a chest film made unless a test with negative results has been administered or a chest film made within ninety days of said certification. The results of any such tests shall be noted on said certificate.
>
> (Laws, 1971, 74:1, 74:2)

The State has also developed standards for group day care of children under 3 which are incorporated in Regulations and Standards for Day Care Nurseries (1971).

Group day care standards issued in 1971 are currently under revision.

7. Political Subdivisions with Separate Licensing Regulations

Concord.

NEW JERSEY

1. Licensing Agency and Contact

Division of Curriculum and Instruction
Office of Elementary Education
New Jersey Department of Education
Trenton, New Jersey

2. Legal Reference

New Jersey Statutes Annotated, Sections 18A:70-1 to 9.

Standards for Approval of Child Care Centers - the Child from Two to Five, (DE), 1970.

The term "child care center" shall include every private non-sectarian child care center, day nursery, nursery school, boarding school, or other establishment of similar character for the care of children, in which any tuition fee, board, or other form of compensation for the care of children, is charged and in which more than five children over the age of two years and under the age of five years are cared for, but it shall not include (1) the State Board of Child Welfare of the Department of Institutions and Agencies, or (2) any aid society of a properly organized and accredited church or fraternal society organized for aid and relief of its members, or (3) any children's home, orphan asylum, children's aid society, or society for the prevention of cruelty to children, incorporated under the laws of this State and subject to visitation or supervision by the State Department of Institutions and Agencies, except in the conduct of a philanthropic day nursery, or (4) any other public agency operated by a county, city, municipality or school district.

3. Children Eligible, Adult/Child Ratios and Group Size

Each child shall have a complete physical examination by a physician before admission. The school shall provide a form upon which the physician shall submit a record of the child's health history, immunization data, and the findings of the last medical examination.

A child having a physical or mental handicap which requires special care or continued close supervision shall be enrolled only with the approval of the physician.

There shall be a minimum of two adults for any total school group. With this minimum, the recommended ratio of adults to children is:

Age	No. Children	Adults
2 year olds	6-8 children	1 teacher
3 year olds	8-10 children	1 teacher
4 year olds	10-12 children	1 teacher
5 year olds	15-20 children	1 teacher

A recommended standard allowing for groups having a child age-span greater than one year is:

Children		Adults
two and three year olds	10-15 children	1 teacher plus 1 regular assistant
three and four year olds	12-18 children	or 1 teacher plus
four and five year olds	15-25 children	2 rotating assistants

4. Professional and Other Qualifications for Staff

The person responsible for setting the educational policies and program shall be a qualified nursery school teacher.

The director shall be qualified by professional knowledge, training and experience in the fields of education, child psychology, social group work or social case work. If he is responsible for the educational program, he shall meet the qualifications prescribed for the head teacher and in addition should have administrative ability and be able to work effectively with people. (The director and head teacher may be the same person.)

The head teacher shall be the person responsible for the school program and shall:

Hold a New Jersey nursery school certificate;

Have had at least two years' teaching experience in an approved nursery school as a teacher;

OR

Hold a New Jersey elementary teacher's certificate with a nursery school endorsement, based on six semester hour credits of specialized nursery school training. . .;

Have had at least two years' teaching experience in an approved nursery school (under a qualified nursery school teacher).

A group teacher is one who teaches under the supervision of a head teacher. He shall:

Have had two full years of college work;

Have had fifteen semester hours of college work in the area of nursery school curriculum and child development;

Have had one year's teaching experience as an assistant or as a student teacher in an approved nursery school;

OR

Have had 15 semester hours of college work in early childhood education including child development and curriculum, and be enrolled in a college program;

Have had two years' experience as an assistant in an approved nursery school (under a qualified nursery school teacher).

An assistant shall be a high school or secondary school graduate, or a parent.

Each adult person connected with a child care center shall present to the center an annual written statement from a qualified physician certifying his physical health, including freedom from tuberculosis determined by medical and chest x-ray examinations.

5. Facilities

The housing shall meet local building, sanitation, and fire codes.

The local health and fire departments shall certify that there is no hazard to the health and safety of the children. Stairs, furnace, hot water heater, bathroom,kitchen, exits, fire escapes, fire extinguishers, plumbing and the electrical facilities shall have been found to be safe and there shall be no other undue hazards.

The water shall be of a safe, sanitary quality obtained from a water system which has been approved by the Board of Health.

Any changes in the location of the nursery, the building, enrollment, or staff after a Certificate of Approval is issued, shall be reported to the State Department of Education within 30 days.

Before a Certificate of Approval is issued, a visit shall be made by a representative of the State Department of Education and a report made to the Commissioner of Education.

Each child care center shall at all times be open, for inspection, to any officer designated by the State Department of Education, who may conduct a full and complete examination of all facilities and methods of operating of such child care center at any time.

The nursery school unit shall be located on the first floor for all child care centers approved after September 1, 1955, and, if possible, should have a south and east exposure. For rooms already located above the first floor, there shall be such safety precautions as guards on windows and handrails for stairways. Such rooms shall have more than one functioning exit. Basement rooms shall not be used unless specially approved, except when used during short periods as necessary play space in inclement weather. Rooms used as family living quarters shall not be included, unless specially approved.

To provide for varied activities, the play room shall allow a minimum of thirty square feet of floor space per child based on the enrollment, exclusive of bathroom, lockers, kitchen, office and storage.

A minimum of 100 square feet per child of outdoor space shall be provided and shall be adequately fenced or otherwise protected from hazards from traffic and driveways.

A temperature of 68° to 72° shall be maintained throughout the day at a point two or three feet from the floor when the outdoor temperature is below 68°.

There shall be a minimum of 20 foot candles of light in all parts of the play room.

At least one toilet and wash bowl with low mirror shall be provided for every 15 children. Hot and cold water shall be provided.

For the half day program each child shall be provided with an individual rug, mat or cot. For the all day program, children shall have individual cots, sheets, and blankets. Beds used by members of the household shall not be used by the children.

Suitable arrangements shall be made for the isolation of a child in the event of illness until such time as he can be taken home. The isolation room shall be furnished with articles that can be thoroughly cleaned and with bedding that can be boiled or aired in the sunshine.

A hot lunch shall be served, if the program runs through the noon meal. Meals shall be nutritionally adequate. An adequate lunch shall include at least:

one-half pint of plain whole milk as a beverage;

one ounce of protein (lean meat, poultry, fish or cheese);

one-half cup of vegetables or fruit or both;

one portion of bread;

one teaspoon of butter or margarine.

6. Special Notes

Insurances required for all Child Care Centers include:

Fire - extended coverage,

Comprehensive liability - including public liability for anyone in the school building or on the grounds,

Workmen's compensation.

The rules governing transportation of children to and from Child Care Centers provide that:

Each contractor shall furnish liability insurance for bodily injury or death in the following minimum amounts: $300,000 for one person, $500,00 for one accident;

Such insurance shall be through a company authorized to insure in New Jersey.

With respect to car insurance, coverage for property damage, fire, theft and medical payments is recommended.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

New Mexico Department of Health and Social Services
P. O. Box 2348
Santa Fe, New Mexico 87501

Licensing Section

2. Legal Reference

New Mexico Statutes Annotated 1953, Section 12-1-3 et seq.

Rules, Regulations and Standards for Child Care Centers (Day and Night), (DHSS), 1966. (N. Mex. Department of Public Health Licensing Regulations - Part 5).

Definitions, Legislation and Administration Procedures Pertaining to Licensing of . . . Child Care Centers (Day & Night). . . Foster Homes, (DHSS), 1964. (N. Mex. Department of Public Health Licensing Regulations - Part 1)

A day child care center, play school, nursery, nursery school, child center, kindergarten, or by whatever name known, is a place, which provides facilities and services for day time care and supervision of five or more well children during less than a 24-hour period of any day, generally between 7:00 a.m. and 7:00 p.m.

Child Care Center Licensing Regulations shall not apply to the following:

Facilities operated exclusively by the Federal Government or any of its authorized Agencies.

Public Schools.

Private schools (except facilities for mentally retarded or emotionally disturbed children) operated primarily for educational purposes for children who have reached legal or compulsory school age.

Nurseries provided in houses of worship exclusively for children of parents who are simultaneously attending worship in the same building or immediately adjacent church building.

A facility not required to be licensed may apply for voluntary licensing and be licensed provided it meets all licensing requirements.

3. Children Eligible, Adult/Child Ratios and Group Size

A certificate of physical examination signed by a physician, showing freedom from communicable disease, and any physical or mental defect that would be deleterious to other children, shall be required for each child prior to admission to the facility. These shall be repeated annually.

Subject to the advice of the child's physician, it is recommended that all children be immunized against diphtheria, whooping cough, tetanus, small pox and poliomyelitis.

A mentally deficient or emotionally disturbed child may be admitted to a facility. . . only upon the written and signed order of a licensed physician.

The following staffing shall be provided:

Age	Adult/Child Ratio
2 years or under	1 to 10
Over 2 years	1 to 15
4 and 5 years olds in facility for less than 3 hours	1 to 20

For a group of children requiring only one attendant, there must be on file the names of two persons readily available who can be called in case of emergency.

4. Professional and Other Qualifications for Staff.

All facilities covered by these regulations shall have a responsible operator, director or person in charge and sufficient staff of qualified and responsible persons with suitable character, temperament, maturity and ability to provide adequate, safe and humane care for children. Prior to issue of initial license the Licensing Agency may obtain personal references chosen at the discretion of the Agency.

Where the kitchen manager or cook is not a nutritionist or dietitian, the services of a professional dietitian or nutritionist, available to the community or a nutrition consultant of the Department shall be obtained as available to consult with the personnel of the child care center.

All operators and employees when on duty shall be free from communicable disease and physically capable of carrying out duties assigned. Physical examinations to determine such status, including tuberculosis screening tests and indicated laboratory examinations as determined by the physician shall be made immediately prior to employment and as frequently as deemed necessary but in no case less frequently than annually.

5. Facilities

There shall be compliance with local zoning ordinances prior to issue of State License.

All requirements of State and local building codes for fire prevention and safety shall be met.

The installation of elevators shall comply with State and local Codes.

The installation of ramps shall comply with state and local codes.

The installation of electrical work and equipment shall comply with State and local codes and the National Electrical Code.

Kitchens, bathrooms and toilet rooms shall be vented directly to the outside air by windows or non-closing vent shafts or ducts terminating above the roof line or as may be required by local ordinance or State code, whichever is the more rigid requirement.

In facilities which provide mechanical ventilation in lieu of windows, New Mexico Building Code and other pertinent code requirements concerning lighting, ventilation and safety must be followed.

The heating system, piping, boilers, and ventilation shall be furnished, installed and maintained to meet all requirements of State and local codes. An ample supply of outside air to assure proper combustion shall be provided in all spaces where boilers or heaters are located. The amount of outside air provided shall conform to all State and local codes and regulations and also to the manufacturers' instructions and recommendations.

When the water supply is not obtained from a public supply system a certificate of approval for such water supply shall be obtained from the Department and water samples shall be submitted to the State Laboratory for bacterial examination with such frequency as deemed necessary by the Department, but in no case less frequently than once every six (6) months.

Water supply piping shall be installed and maintained in compliance with the State and local plumbing codes.

All plumbing, drainage and other arrangements for the disposal of exreta, kitchen and other wastes shall conform to State and local plumbing codes.

All machinery in the laundry shall comply with State and local codes. When linen is sent to an outside laundry, the place sending such shall be responsible for knowing that the methods used are acceptable.

The sanitation of food shall meet the requirements of the New Mexico Restaurant Act and applicable regulations.

Food utensils shall be sanitized in accordance with the Regulations governing the Sanitation of Foods and Food Handling Establishments.

The Licensing Agency shall not license any new facility which does not comply fully with Regulations. (New facility shall mean any new or remodeled structure, addition, or any facility which changes location, function, ownership or administrative control.) When construction of buildings, additions to existing buildings or alterations are contemplated, plans and specifications covering all portions of the work and showing the general arrangement of the buildings, mechanical equipment, and the intended purpose and fixed equipment of each room shall be submitted to the Licensing Agency to assure approval with respect to compliance with Regulations prior to actual construction. When an addition or alteration is contemplated, plans for the entire facility must be submitted. Before the Licensing Agency will approve and license an addition to an existing facility, it must have in writing a program approved by the Agency showing how and when the existing facility will meet all licensing requirements.

No system of water supply shall be installed nor shall any existing system be altered or extended, until complete plans and specifications for such proposed change have been submitted to and approved by the Department.

No system of plumbing, sewage, garbage or refuse disposal shall be installed, nor shall any existing system be altered or extended, until complete plans and specifications for the installation, alteration or extension have been submitted to and approved by the Department.

Fire extinguishers and other fire-fighting equipment shall be maintained for ready use at all times and shall be inspected at least annually or as specified by manufacturer.

Trailers are not approvable as child care facilities.

Each room provided for children's activities shall be an outside room with a satisfactory amount of natural light and ventilation. No such room shall be in a below grade location unless one of the two exits opens directly to the outside. Any building housing children above the ground floor must have enclosed emergency exits of fire resistive construction from each floor; and stairways shall be enclosed with hinged, fire-resistive, self-closing cut-off doors at each floor level.

In all facilities, rooms used for children's activities shall provide at least thirty-five (35) square feet of floor space per child, exclusive of bathrooms, closets, storage areas, halls, kitchens and other areas. Other areas include those with cots or beds which cannot be stacked, folded or removed, but does not include infant crib area.

Outdoor play areas and yards used by children shall be properly fenced to provide protection from traffic and other hazards. When part of the children's activities is held out of doors there shall be sufficient fenced outdoor space to provide for recreational purposes allowing at least sixty (60) square feet, preferably seventy-five (75) square feet, per child accommodated in the play area at any given time.

There shall be a heating facility adequate to maintain a temperature at least 68° to 72°F. at work play surfaces in all rooms used for children.

Children under two years of age shall be cared for in rooms separate from those used by children over two years of age.

In facilities with capacity of twenty (20) or more children, separate and distinct laundry area(s) shall be provided.

Facilities shall provide toilets and lavatories in the ratio of one toilet and one lavatory to 10 children or fraction thereof. If daily attendance period is three hours or less and the children are four and five years of age, the ratio of one toilet and one lavatory per 20 children may be applied. All toilet rooms shall be provided with toilet tissue.

An adequate number of toilet and handwashing facilities shall be provided for personnel. In centers having 30 or more children, facilities for employees shall be separate from those provided for the children. Special attention shall be given to separate handwashing facilities for food service personnel. Facilities approved by the Agency to care for children under 2 years of age must provide handwashing facilities in each nursery area.

Pets may be allowed only if they are in good health, present no problems of sanitation and are of a temperament non-hazardous or frightening to children. Dogs shall have annual rabies vaccination. No animal or pet shall be permitted in kitchens or other food and eating areas.

There shall be an adequate number of telephones to summon help in case of fire or emergency, and these shall be so located as to be accessible quickly from all parts of the building. Pay telephones will not be considered as meeting this requirement.

Individual beds, cots for children over two years of age or cribs for children under two years of age, shall be provided for rest periods. Individual mats may be used if approved by the Licensing Agency. Each child shall have individual linen, bedding, and waterproof padding as required, assigned for his exclusive use. New linens shall be laundered before use unless they are received in sealed, dust proof wrappings.

There shall be one or more rooms for segregation of children who become ill after arrival at the nursery. Rooms planned for segregation shall include acceptable handwashing facilities.

All facilities caring for children for more than five consecutive hours a day shall provide at least one meal which meets one-third or more of the child's daily nutritional requirements. Child Care Centers providing at least eight consecutive hours of care shall, in cooperation with parents or guardians, prepare a plan which assures that the child is provided at least three meals a day. Additional between meal nourishment shall be provided according to the child's individual needs.

Infant formula shall be only that as prescribed by the infant's physician or as supplied by the child's family.

All milk used shall be Grade "A" pasteurized, where available, or be of equivalent safety. All milk served shall be directly from the original container or from a dispenser approved by the Department.

6. Special Notes

For facilities transporting children, it is recommended that adequate Public Liability, Property Damage and Medical Payment Insurance be carried on the vehicle and its occupants.

A substitute for any licensing Regulation may be offered by any applicant to the Licensing Division and if found to be satisfactory in the sense that the substitute substantially complies with the basic purpose for the Regulation in question, it shall be submitted to the State Board of Public Health for their approval.

Night Care Centers - A night child care center or night nursery, or by whatever name known, is a place which provides facilities and services for night time care and supervision of five (5) or more well children during less than a twenty-four (24) hour period of any day, generally between 7:00 p.m. and 7:00 a.m.

In addition to compliance with all requirements of the New Mexico Department of Public Health, Licensing Regulations - Parts 1 and 5, night child care centers must meet additional requirements including those relating to sleeping facilities and arrangements and bathing facilities.

Approval for night child care center does not imply approval for twenty-four (24) hour continuous service.

1. Licensing Agency and Contact

Division of Children's Services
New York State Department of Social Services
1450 Western Avenue
Albany, New York 12203

John F. Kaminsky
Senior Social Services Consultant

2. Legal Reference

Social Services Law, Section 390.

Day Care Centers - Rules of the New York State Board of Social Welfare - Regulations of the New York State Department of Social Services, (DSS), 1969. (Publ. No. 1056).

Day care of children shall mean care provided for three or more children away from their own homes for less than 24 hours per day in a day care center which is operated for compensation or otherwise for more than five hours per week.

Day care in a day care center shall mean day care of seven or more children provided by any individual, association, corporation, institution or agency, provided, however, that day care in a day care center shall not include care provided children in:

(1) A day camp as defined in the State Sanitary Code (10 NYCRR, Chapter I)

(2) A kindergarten or nursery school operated by a school or academy that is providing elementary or secondary education or both, in accordance with the requirements of the Education Law as to compulsory education; and

(3) An after school program operated for the primary purpose of providing religious education.

The requirements of Section 390 shall not apply to care given (a) in a city wholly including one or more counties, except (family home) day care provided therein under certificates issued pursuant to subdivisions two through ten, or (b) by parents, or relatives within the second degree of the parents of the child or children.

3. Children Eligible, Adult/Child Ratios and Group Size

No infant less than eight weeks of age shall be admitted for care. (Children over eight weeks but less than three years old are considered infants.)

Children under three years of age shall be admitted for care only in accordance with the special provisions for children under three years of age. (A center providing infant care must also comply with other applicable requirements to be met by day care centers.)

No child shall be accepted for care unless the director of the day care center has determined that admission meets the needs and interests of the child and his family and of the group to which the child will be assigned.

No child shall be accepted for care unless such child has received a complete medical examination by a physician within 30 days prior to admission or shortly thereafter, and a written statement signed by the examining physician has been furnished to the day care center giving assurance that the child

(1) is free from contagious or communicable disease; and

(2) has received prophylaxis against smallpox, diphtheria, tetanus, pertuisis, poliomyelitis and measles, when there are no medical contraindications.

It is further provided that the child's physical examination include appropriate vision screening, audio testing, laboratory tests as indicated, a dental examination, and an initial appraisal of his health and development. . . Each child shall have subsequent complete medical examinations and subsequent dental examinations upon intervals appropriate to his age and according to his needs. . .

Each infant accepted for care shall have a complete medical examination by a physician within thirty days prior to admission. The medical examination shall be given within fifteen days prior to admission in the case of an infant under six months of age. A statement shall be obtained by the day care center from the examining physician, which shall include a summary of the results of the examination, the past medical history and, if a disease or abnormal condition is found, recommendation as necessary for exclusion or treatment of the infant or modification of his activities or suggestions for health supervision in the case of a handicapped infant. Infants shall receive prophylaxis against smallpox, diphtheria, tetanus, pertussis, poliomyelitis, and measles, when there are no medical contraindications, provided however that if the infant's parents or guardian consent in writing therefor, the infant may be admitted and immunized according to the current schedule for immunizations recommended by the department of health. Each infant shall be given a periodic complete medical examination and an appraisal of his development by a physician.

No child shall be accepted for care unless:

> A written agreement has been made between the day care center and the parents, guardian or person having legal custody of the child setting forth the fee, if any, to be charged for the day care services, the manner of payment and the services to be provided therefor;
>
> Authorization in writing has been obtained from the child's parent or guardian for emergency medical treatment and surgery in the event such parent or guardian is not available when such treatment or surgery is needed;
>
> A written statement has been obtained from the child's parent, guardian or person having legal custody containing the name and telephone number of the child's physician or medical service, instructions on action to be taken in event of an emergency, the names, addresses and telephone numbers of the child's parent or guardian and any special instructions regarding the care of the child that may be necessary or helpful.

Children requiring an unusual amount of care or attention because of a mental or physical condition shall be admitted only in day care centers designed to care for such children.

The following adult/child ratios are the maximum permitted:

Age	Maximum adult/child ratio
8 weeks to 18 months	1/4
18 months to 3 years	1/5
3 year olds	1/5
4 and 5 year olds	1/7
6 to 14 year olds	1/10

The maximum group size is as follows:

Age	Maximum Group Size
8 weeks to 18 months	8
18 months to 3 years	10
3 year olds	15
4 and 5 year olds	20
6 to 14 year olds	25

There shall be an adequate number of qualified staff members on duty during the hours the day care center is in operation. Children shall not be left without competent supervision at any time. No person under eighteen years of age shall be left in full charge of children at any time.

4. Professional and Other Qualifications for Staff

Staff members shall be qualified by training or experience to carry out their respective functions in the administration, operation and maintenance of the day care center.

There shall be a director in charge of the day care center to supervise and direct activities. There shall be a responsible adult available at all times to substitute for the director when the director is away from the premises.

Educational activities shall be under the supervision and direction of a staff member trained or experienced in child growth and development.

Each group of children three years of age and over shall be assigned a full-time head of group and group assistant or group aide. A qualified substitute shall be provided for an absent staff member.

The director shall not serve as the head of a group when there are more than forty children enrolled in the day care center.

Personnel employed by a day care center in receipt of public funds shall meet the following qualifications:

> Director. The Director of a day care center shall be a person of integrity, maturity and sound judgment, capable of providing leadership and direction to the staff in developing and maintaining a constructive approach to children...

Person Responsible for Daily Program Activities. The person responsible for directing, developing and supervising the daily activities of children on a full or part-time basis shall be a mature person over the age of 21 years, qualified in early childhood education and with substantial experience in working with groups of children.

(a) If employment begins after January 1, 1972, such person shall be a graduate of an accredited college or university with a major in early childhood education.

(b) After January 1, 1972, no person responsible for daily program activities may serve more than 5 day care centers.

(The positions of director and person responsible for daily program activities may be held by the same person provided that the qualifications for both positions have been met.)

Heads of Groups. The head of a group shall be responsible for conducting the daily program activity of a group of children, and for directing the activities of the group assistants or aides. This employee shall be at least 21 years of age, except when qualified by appropriate degree or certificate, with good physical and mental health, of good character and shall possess suitable personal qualifications for working with children.

(a) If employment begins after January 1, 1972 the head of a group shall be a high school graduate and have appropriate experience in working with groups of children. Persons employed as the head of a group prior to January 1, 1972 who do not meet these qualifications may continue to be employed in such position in the same or any other day care center after such date.

(b) If employment begins after January 1, 1975, the head of a group shall be a high school graduate and have a minimum of 12 semester hours in early childhood education offered by an accredited college or university. Persons employed prior to January 1, 1975 who do not meet these qualifications may continue to be employed in such positions in the same or any other day care center after such date.

Group Assistants. Assistants to the head of a group shall be at least 21 years of age except when qualified by appropriate degree or certificate, with good physical and mental health, of good character, and possess suitable qualifications for working with children. They shall be capable of supervising a group independently for brief periods of time with direction from the head of the group.

Group Aides. A group aide shall be at least 17 years of age, mature and literate, with good physical and mental health and good character and shall possess a suitable personality for working with children.

The day care center shall obtain the counsel of a qualified nutritionist.

In centers providing infant care:

If a group consists of more than five infants 18 months to three years of age, or if a group consists of more than four infants under 18 months of age, there must be a full-time assistant to the person in charge of the group.

The person in charge of each group of infants 18 months to three years of age shall be a head of group meeting the qualifications required of group heads employed in centers in receipt of public funds. The person in charge of each group of infants under 18 months of age shall meet the same qualifications or shall be a mature adult with suitable formal training in the care of infants or experience in such care with an authorized child care agency.

The group assistant for either type of infant group head shall be at least 18 years of age and shall have a suitable personality and an interest in infants.

There shall be a registered professional nurse available to advise as to the general care of the infants and to instruct staff on the proper techniques required to preserve the health and general welfare of the infants. A registered nurse shall visit the premises at least once each week during the hours of operation and shall remain as long as may be required to observe and assure that the infants are being provided proper care. Additional visits shall be made as often as circumstances may require.

All staff, including temporary staff and volunteers, who have contact with children or whose duties include food handling, shall have a physical examination by a physician prior to employment and at least annually thereafter. Tuberculin tests or chest x-ray shall be required annually for such staff and volunteers. Such staff, including temporary staff and volunteers, shall be immunized against smallpox. . .

5. Facilities

Each day care center must comply with all applicable local building, fire and zoning regulations or ordinances.

Each day care center shall comply with the requirements of State and local departments of health. Adequate and safe water supply and sewage facilities shall be provided and shall comply with State and local laws.

No day care center may expand its services or increase its capacity unless it is in compliance with the rules. . . and with the applicable regulations of the department.

There shall be no construction, addition, substantial modification or change in occupancy of buildings or parts of buildings used or to be used in the operation of a day care center except upon plans and designs approved in writing by the department.

The day care center shall obtain a fire inspection annually by local or state fire officials, and a record thereof shall be kept. A qualified staff member shall conduct monthly inspections of the premises to observe possible fire hazards. Any such hazards shall be corrected immediately.

Children shall be cared for only on such floors as are provided with readily accessible alternate means of egress which are remote from each other.

Adequate floor space shall be provided. 35 square feet for each child, exclusive of halls, bathrooms and kitchens, shall be deemed adequate.

Adequate, available and readily accessible outdoor play space shall be provided. Such play space shall be free from conditions which are or may be dangerous to the life or health of the children.

The day care center shall provide a separate program and separate facilities for children six years of age and over. Such facilities shall be located in a separate area if necessary to avoid interference with the younger children's programs.

Separate quarters or area apart from that of the older children shall be provided for infants. Play areas, apart from sleeping quarters, shall be provided where the infants may comfortably and safely sit, crawl, toddle, walk and play. A minimum of thirty-five square feet per infant shall be provided for such purpose.

Day care centers providing care for more than 30 children shall provide an adequately equipped separate staff room.

Adequate office space shall be provided.

Rooms to be occupied by the children shall have adequate light and ventilation; a temperature of at least 68° as measured by a thermometer located not more than three feet from the floor. . .

Convenient, adequate and sanitary toilet facilities shall be provided for the children in a separate, properly ventilated room. One sanitary toilet and one sanitary wash basin for every group of 15 children or part thereof shall be deemed adequate. Separate toilet facilities shall be provided for the day care center's staff and employees. If infants are in care, toileting equipment such as potty chairs, appropriate to the toilet training level of the infants in the group, shall be provided.

The day care center shall be provided with a listed telephone for general use and emergencies. . .

A firm, sanitary crib, cot or bed of adequate size shall be provided for each child under five years of age who spends more than 4 hours per day at the day care center and for any other child requiring a rest period. No crib, cot or bed shall be occupied by more than one child.

A separate room or adequately partitioned space shall be provided for the purpose of isolation of children who are ill or who have symptoms of illness.

The day care center shall provide plentiful and nutritious meals and snacks which shall be prepared in a safe and sanitary manner and served at appropriate intervals. If a child is in the day care center for more than four hours per day, he shall be served a hot meal which shall supply at least one-third of the child's daily food requirements and meet the nutritional standards recommended by the National Research Council. If a child is in the day care center for more than ten hours per day, he shall be served two meals in addition to snacks, of which at least one other than breakfast shall be hot, which shall supply at least two-thirds of the child's daily food requirements and meet the nutritional standards recommended by the National Research Council. If a child is in the day care center for more than ten hours per day, he shall be served two meals in addition to snacks, of which at least one other than breakfast shall be hot, which shall supply at least two-thirds of the child's daily food requirements and meet the nutritional standards recommended by the National Research Council. The day care center shall provide mid-morning and afternoon snacks of adequate nutritive quality which shall include fruit or fruit juice of high Vitamin C content, or milk, and crackers, or the nutritional equivalent thereof.

Provision shall be made for proper food service to children in need of medically controlled diets.

Sufficient, nourishing food following a diet acceptable to the department shall be provided for the infants. Menus and diet plans shall be available for review by a consultant nutritionist of the department. Where formula is required, it shall be prepared and provided by the parent or other responsible person in the infant's home.

6. Special Notes

Proprietary day care centers are exempt from requirements relating to the provision of necessary social services to children in care. Such services are to be provided either directly (by centers subject to the requirements) or through another agency, and must be provided under the supervision of trained or experienced staff.

Prior to 1971 amendments to the licensing law, the rule-making function was shared by the State Board of Social Welfare and the Department of Social Services. Effective July 1, 1971, the Department has sole responsibility for prescribing regulations.

7. Political Subdivisions with Separate Licensing Regulations

New York City licenses both day care centers and day care homes under provisions of the New York City Health Code.

NORTH CAROLINA

(Voluntary Licensing)

1. Licensing Agency and Contact

Day Care Unit
Family and Children's Services Section
State Department of Social Services
Raleigh, North Carolina 27602

Dr. Thelma Arnote, Supervisor of Consultation
Day Care Unit

2. Legal Reference

(The State's mandatory licensing law does not become effective until January 1, 1972.)

Day Care Center (16 or More Children) - Standards and Requirements for License, (DSS), Rev. July 1970. (First Edition - Limited Distribution).

The care of child in day care centers is a service of daily care and protection for the children while away from their own home during a major portion of the day. A day care center provides this service to sixteen or more children in groups designed to contribute to their social, physical, emotional, and intellectual growth.

(Centers may be licensed at either Level I (standards below which care is not acceptable) or Level II (though minimum, represents higher standards). The summary below reflects requirements for licensure at Level I.)

3. Children Eligible, Adult/Child Ratios and Group Size

Medical information shall be received prior to or at the time of admission to the center. The necessary information includes evidence that the child has had or is receiving immunizations recommended for his age. These may include whooping cough, diphtheria, tetanus, polio, and smallpox inoculations. . .

Infants under one year shall be examined by a physician (private or well-baby clinic) every four months and appropriate immunizations given.

No child who has spent the day in a day care center shall be enrolled for nighttime care.

A group of children is defined as a given number of children assigned to a "head teacher" and kept together in a separate room or divided area. Providing there is always a designated responsible adult on call for emergencies, the following grouping and staffing patterns shall be met:

Two-and-three-year-olds--no more than 12 children per staff person

Three-and-four-year-olds--no more than 15 children per staff person

Four-and-five-year-olds--no more than 20 children per staff person

Five-and-six-year-olds--no more than 25 children per staff person

Auxiliary staff (e.g. cooking and maintenance) are not ordinarily available to work with the children, and shall not be considered in this staff-child ratio when busy with these duties. A workable plan shall be made for maintaining required staff-child ratio in each group if a staff member is busy with auxiliary duties or absent for any reason.

No staff person shall be on duty with the children for more than eight hours continuous daily. Rest periods of at least half-an-hour shall be planned for staff members during each day.

When young staff members are used, there shall be one adult worker for each two helpers under the age of eighteen. There shall always be an adult on duty in each group throughout the day.

If children under two year of age are accepted for care the following group size limits and minimum staffing must be observed:

Age	Maximum Group Size	Minimum Number of Care-givers
Infants under eight months	8	1
Mixed group--infants to 18 months	6	1
Eighteen months to 30 months	8	1

There shall be a workable plan for a second care-giver (i.e., person responsible for given group of babies) on call at all times for emergencies.

If more than six children under three years are in care, there shall be more than one adult on duty at all times.

In centers serving school-age children the following grouping and staffing requirements must be met in addition to general requirements noted above.

Full-day program for school-age children:

School-age children shall be in groups separate from children of preschool age.

There shall be no more than thirty children per group with one group leader regularly assigned to each group.

Before/after school program:

If school-age children are grouped with preschool age children, the staffing requirements shall be that required for the youngest member of the group.

When school-age children are grouped separately from preschool age children there shall be one staff person for each thirty (30) or fewer children.

In centers accepting only school-age children, two adults shall be on duty at all times.

In centers providing nighttime care:

There shall be one adult for each ten or fewer children in care.

There shall be at least two adults on duty at all times.

4. Professional and Other Qualifications for Staff

Staff personal qualities shall include:

A willingness to attend workshops and short courses as available to learn more about care and education of children and to welcome opportunities for exchange of ideas.

An ability to communicate coherently with other adults and children and freedom from speech impairment.

The staff must be neither too young to exercise mature judgment in caring for children nor too old to function with physical and mental competence.

Personnel must be in general good health with plenty of energy. In addition, tuberculin and serology tests must be completed unless specifically exempt by local Health Department modification. This shall be updated annually.

The director must be 21 years of age and must have three written references attesting to her suitability.

Provisions shall be made for additional staff for cooking and maintenance.

Auxiliary personnel shall meet these requirements:

An ability to perform tasks assigned, under supervision

An ability to assist in emergency situations

Freedom from habits or characteristics potentially harmful to children.

Volunteers in center programs should meet these qualifications:

Interest in task assigned

Willingness to learn and show progress in developing skills

Willingness to accept supervision

Ability to assist in emergency situations

Freedom from habits or characteristics potentially harmful to children

A statement from a physician as evidence of good health or a record of TB and serology tests renewed annually

No staff person who has been on duty in the day care center shall be employed for nighttime care.

5. Facilities

The center shall comply with all local ordinances relative to zoning or privilege licensing.

Initially, the building shall be inspected by the building inspector having jurisdiction and shall be certified as meeting all building standards.

Initially, the building shall be inspected by the fire department having jurisdiction. Annual inspections by the fire department shall be concerned with compliance of established fire prevention requirements.

Initially, the building shall be inspected by the health department having jurisdiction and shall be certified as meeting all sanitation standards. Annual inspections by the health department shall be concerned with compliance of established sanitation requirements.

Prior to the submission of formal application for a license, a representative from the Day Care Unit (DSS) will make a pre-licensing study which includes arrangement for necessary building, fire and sanitation inspections, interpretation of standards for, and assistance to the prospective applicant. After receipt of the application, the Licensing Specialist will begin the application study to determine whether standards have been met, and if so, at which level a license can be recommended. The application study will include assessment of fire, building, and sanitation inspection reports, and character references (if required). Continuing evaluation of licensed facilities will include periodic visits by the Licensing Specialist during the year.

Thirty square feet shall be provided for each child, measured from wall-to-wall including space necessary for open shelves and movable furniture. Space in passage hallways, toilet area, kitchen, office, storage, and isolation areas may not be included. Special consideration of unique floor plans may be indicated.

Seventy-five square feet of outdoor space shall be provided per child using the area at any one time, except where this is in conflict with local ordinance.

The play area shall be well defined by hedge, natural barrier, or fence to make it safe from traffic and other hazards.

All rooms shall be ventilated, by either natural or artificial means.

All rooms shall be provided with sufficient artificial lighting so that objects on the floor are readily visible.

All toileting facilities must be subject to conditions outlined by the Sanitation Inspection Report.

A car or other transportation shall be available.

A telephone shall be available with the center's number listed for public use, and a plan made for emergency telephone calls.

Provision shall be made for every child of pre-school age to sleep or rest during each day. A cot or a mat shall be provided for each child. Mats shall be of a waterproof washable material, at least two inches thick, and shall be folded so that the floor side does not contact the side on which the child sleeps. These shall be kept clean.

For infants and toddlers:

> Each child shall have a separate place to sleep. Cribs with waterproof mattresses and well-locked sides shall be available for each infant under 18 months. Each child's bedding shall be separate and used only by him/her and shall be replaced daily and when wet or soiled.

For school-age children in full-day care:

> There shall be a scheduled period of rest or quiet rest activity each day. Mats or cots of the appropriate size may be provided.

For children in nighttime care:

> Separate cribs, beds, or cots shall be provided for each child.
>
> If cots are used they shall be fitted with a mattress.
>
> Clean sheets and bedding for crib, bed, or cot shall be provided on an individual basis and used by the same child daily. Bedding shall be changed at least weekly and when wet or soiled.
>
> Waterproof mattress covers or pads shall be provided as needed.

If infants and toddlers are in care:

> The center shall have an arrangement for isolating and caring for children with infectious conditions so that their recovery is hastened and the infection is not spread. Infants and toddlers shall be kept in separate areas from older children.

Wholesome, nutritious foods, handled in a sanitary manner and attractively served, shall be provided in the variety and amounts necessary to meet a child's food needs. Each meal shall be planned to provide about one-third of a child's food needs: for care from three to four hours--light nutritious mid-morning or mid-afternoon snack; for care from five to nine hours--one regular meal and one or more snacks; for care ten hours or more--two meals and one or more snacks.

Attention shall be given to the planning and preparation of special diets for children with health problems as ordered by the physician if such children are in care.

For infants and toddlers:

> There shall be no formula preparation at the center. Parents shall provide nursing bottles of milk or prepackaged formula approved by the doctor.
>
> Every child shall be given milk every day (unless on written order from physician). Solid foods shall be varied each day and include vegetables, fruit, eggs, cheese or meat.

For school-age children receiving before/after school care:

> If children are in care for longer than four hours they shall be given a nutritious meal.
>
> Children arriving for care after regular school hours shall be given a nutritious snack.

For children in nighttime care:

> Nutritious meals shall be served to children in care during ordinarily mealtime. A bedtime snack shall be served.

6. Special Notes

If transportation is provided, children shall be protected by liability insurance.

The State's mandatory licensing law (H.B. 100, Chapter 803, Session Laws 1971) becomes effective January 1, 1972.

7. Political Subdivisions with Separate Licensing Regulations

Jacksonville.

Several other cities in North Carolina are working toward mandatory licensing for day care centers within their jurisdiction. Charlotte, Hickory and Durham should be contacted for the status of their licensing programs.

1. Licensing Agency and Contact

Public Welfare Board of North Dakota
Bismarck, North Dakota 58501

Mrs. Beth L. Doutt
Day Care Assistant

2. Legal Reference

North Dakota Century Code, Sections 50-11-01 - 50-11-06, 50-11-06.6 - 50-11-10.

Day Care, Sept. 1970. (In Social Work Manual, Chapter 425).

Any person, partnership, voluntary association, or corporation owning or operating a home or institution receiving for day care or full-time foster family care for children or otherwise during the calendar year, one or more children under the age of eighteen years shall procure annually from the public welfare board a license so to do. The provisions of this section shall not apply when the children received by such person are related to him by blood or marriage, nor shall it apply to any home or institution under the management and control of the state.

A day care center is a facility, separate from a family home, which provides care for children on a regular basis.

The name of the facility shall not determine whether it falls under the licensing for day care. This determination is to be decided by the program and the length of time the program is to cover. Any facility which provides care for more than four hours to the same group of children must be licensed as a day care center regardless of whether it is called a preschool program, head start, nursery school, kindergarten, or another name. . . The day care center must meet the standards for licensing, unless it is operated by a governmental agency other than the county welfare board or the Public Welfare Board.

Since nursery schools are often difficult to differentiate from day care centers, nursery schools shall be defined as group programs for four and/or five year olds which operate on no more than a four-hour basis. If the program is set up to offer a full day's care to a child, it shall constitute a day care center. A nursery school may or may not have a more structured program than a day care center. Therefore, the program alone is not a sufficient basis to differentiate the two. . .

3. Children Eligible, Adult/Child Ratios and Group Size

Day care centers shall not accept children under three years of age unless the center has been planned specifically for younger children and has been licensed for the care of children under three years of age. Approval of the Administrator of Services for Children and Youth or his appointed representative must be obtained before a center may be licensed for children under the age of three.

Before he enters day care, each child must have immunizations prescribed by the family physician unless objected to for religious reasons.

The day care operator must have a statement from a physician pertaining to the health and immunizations of each child.

If day care is purchased by the county, the child must have medical and dental examinations before entering day care and annually thereafter, unless more frequent examinations are indicated.

There shall be at least one attendant for each ten children between three and five years of age. For children from two to three years, there must be a ratio of at least 1 to 5 and for children under two years a ratio of 1 to 3.

There shall be at least one attendant for each twelve children between five and seven years of age.

There must be a second attendant available for any group no matter how small, so that emergencies may be handled adequately. Volunteers and aids may be used to assist the adult responsible for the group. Teenagers are often very successful in working with younger children when supervised by an adult. However, the ratio stated above must be met by paid staff. Volunteers shall be in addition to this.

4. Professional and Other Qualifications for Staff.

Staff must understand the needs of children and have a warm and positive feeling toward the children they serve.

The Director of a day care center shall have at least a high school education and, preferably, some additional training in child development, early childhood education, nursing, social work, or a period of satisfactory experience in an approved center.

Before a person is employed in a day care center, and annually thereafter, the individual must have a physical examination including an appropriate check for tuberculosis. The physician must have knowledge of the child care employment contemplated and his report should indicate that the person has no communicable disease or other known physical or mental health problem detrimental to child care. This is to be verified by the prescribed medical report form. . .

5. Facilities

The Public Welfare Board will take into consideration the recommendations of the State Health Department and the State Fire Marshal in licensing any existing facilities.

The water supply should be from an approved municipal system, or, if from some other source, a sample must be tested and approved by the State Health Department.

Any plans for new buildings or for extensive remodeling of existing structures shall be transmitted to the Public Welfare Board in triplicate for approval. One copy of the plan will be given to the State Health Department and one copy to the State Fire Marshal for recommendations.

The county caseworker shall make a study of the facility. . . The licensing study shall be forwarded to the area social service center with recommendations concerning licensing. The day care facility should be reevaluated semi-annually, with recommendations concerning relicensing sent to the area social service center before the date the license expires.

For pre-school children, ground floor space is particularly desirable. If any other floor level is used, particular attention shall be given to the adequacy of light and ventilation, temperature control, and accessible safe exits.

There must be a minimum of 35 square feet of play space per child indoors and a minimum of 75 square feet of play space per child outdoors. If the outdoor play space is not large enough for the entire enrollment, the children may be divided into smaller groups and use the outside play area in shifts.

If the outdoor play area is near a busy street, highway, or other dangerous area, it shall be provided with a fence of such construction that the children are protected.

In a full-day day care center the kitchen shall be separate from the play room.

It is recommended that there be one toilet and one lavatory for every ten children up to 20 children. Thereafter, the ratio may be 15 children for each toilet and lavatory.

There must be a telephone in a convenient location within the center.

An individual cot or bed must be provided for each child receiving full day care. For children receiving care for 4 hours or less, individual rugs or mats may be used for a short rest period.

If a child becomes ill during the day, he must be isolated promptly from the other children. If a center has a nurse on the staff and a well-equipped isolation room, the sick child may be cared for at the center. Otherwise, arrangements must be made for the child's care elsewhere.

The facility must provide adequate and nutritious meals and snacks prepared in a safe and sanitary manner. A mid-morning and afternoon snack should consist of fruit, raw vegetables, cheese wedges, crackers, or cookies with milk or fruit juice. A noon lunch should consist of at least one of the following: meat, fish, poultry, eggs, cheese, dried peas, or dried beans; raw and cooked vegetables; bread and butter or margarine; fruit or other dessert; and milk. One of the vegetables and/or fruits should be a Vitamin C rich food. Milk served must be pasteurized or obtained from a dairy approved by the Dairy Commissioner or by the Health Department. Meals in a full day program must include a morning snack, a hot lunch and an afternoon snack for all children. Children whose period of care covers two normal meal hours, must be provided two full meals in the day care center.

6. Special Notes

The center must have adequate liability and fire insurance.

Any person wishing to operate a day care facility must request licensing from the county welfare board. . .

Social service is an integral part of day care service and must be available from the county welfare board staff to parents desiring this service when considering day care for their children regardless of their financial circumstances.

The county welfare board has the further responsibility of carrying on a program of community education within the county to inform residents of the law requiring licensing of day care, the benefits derived from licensing, and the procedure to follow if licensing is desired. If there are homes or centers known by the county welfare board to be providing day care, the county welfare board must inform the operators of the law providing for licensing.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact

Bureau of Day Care Services, Division of Welfare Services
Ohio Department of Public Welfare
Oak and Ninth Streets
Columbus, Ohio 43215

Mrs. Earnestine H. Murray
Day Care Consultant

2. Legal Reference

Page's Ohio Revised Code Annotated, Sections 5104.01 - 5104.08, 5104.99.

"Child day-care" means administering to the needs of infants, pre-school children, and school-age children outside of school hours by persons other than their parents for any part of the twenty-four hour day, for part or all of at least two consecutive weeks, but does not include the care of children in places of worship during religious services.

"Child day-care center" means any place in which child day-care is provided for five or more infants, pre-school children, or school-age children outside of school hours in average daily attendance, other than the children of the owner or administrator of the center, with or without compensation.

"Average daily attendance" means the maximum number of children cared for at any one time each day the center is in operation during a quarter-year period, divided by the number of days the center is in operation.

"Infant" means a child under eighteen months of age including any child who has not yet reached the steady walking state or who requires the use of diapers.

"Pre-school child" excludes infants.

3. Children Eligible, Adult/Child Ratio and Group Size

Each child attending the center must be examined by a licensed physician not more than thirty days prior to admission and annually thereafter. There must be on file at the center a statement signed by the physician certifying that the child is free from communicable disease, including tuberculosis, verified either through negative tuberculin skin test or by negative chest x-ray and has had the immunizations required by statute for admission to school under section 3313.671 of the Revised Code, except that the age at which infants are required to have such tests or immunizations shall be established by the state department of health. The immunization requirement may be waived by the administrator of a center on a parent's written request for exemption.

The children must be organized in small groups. The maximum number of children per child-care staff member, by age of children is as follows:

Under eighteen months.	8
Eighteen months but under three years. . .	10
Three years but under five years.	15
Five years and older.	20

Children of the operator and of staff members, who attend the center or are on the premises for supervision and care, are included in the determination of staff requirements and group capacity.

The center must have at least two responsible adults available on the premises at all times when five or more children are in the center.

4. Professional and Other Qualifications for Staff

The administrator is the person responsible for the daily operation of the center. The administrator and the owner may be the same person.

The administrator must have at least a high school education. An administrator employed or designated after December 31, 1971, has completed at least two years of training in an accredited college, university, or technical institute, including courses in child development, or has at least two years experience in supervising and giving daily care to children attending an organized group programs including at least two years of such experience in working with the age level children for which they will have the responsibility.

A child-care staff member is any employee of a child day-care center who is primarily responsible for the care and supervision of children. The administrator may be a part-time child-care staff member when not involved in other duties.

All child-care staff members employed or designated after December 31, 1971, must have completed high school or completed a training program approved by the state department of public welfare or education or the bureau of employment services.

The administrator and every employee of a child day-care center must be mentally and physically able to perform his duties. The administrator and each employee must be examined by a licensed physician not more than thirty days before employment and annually thereafter and there must be on file at the center a statement signed by the physician certifying the administrator or employee to be:

(1) Free from communicable disease, including tuberculosis, verified either through negative tuberculin skin test or by negative chest x-ray;

(2) Physically fit for employment in a facility caring for young children;

(3) Immunized against poliomyelitis and diphtheria. An employee may be exempted from the immunization requirement upon filing a written request with the center.

5. Facilities

The buildings in which the center is housed, subsequent to any major modification, must be approved by the department of industrial relations or a certified municipal or county building department for the purpose of operating a child day-care center. Any structure used for the operation of a center shall be constructed, equipped, repaired, altered, and maintained in accordance with applicable provisions of State laws (Chapters 3781 and 3791, Revised Code) and regulations of the Board of Building Standard for the safety and sanitation of new and existing structures used for this purpose. Existing structures used as child day-care centers are subject to applicable enforcement and appeal procedures prescribed in Chapters 3781 and 3791. The Board of Building Standards shall prescribe minimum structural conditions, sanitary equipment, light and ventilation requirements, fire prevention measures, and any other minimum safety and sanitation standards pertaining to construction, equipment, and maintenance of such centers as necessary for the health and safety of the children receiving care. . .

For initial license and renewal, the center must have from the board of health of the health district in which it is located or the state department of health a current license permitting the preparation or serving of meals or lunches, as provided in Chapter 3732 of the Revised Code and any relevant regulations adopted by the public health council. If a meal is to be served to children other than children of the owner or administrator, the preparation and serving of food in a child day-care center is included in the meaning of "food service operation" under section 3732.01 of the Revised Code, whether or not a consideration is received for such food.

For initial license and renewal, the state fire marshal or the fire chief or fire prevention officer of the municipal corporation or township in which the center is located must have inspected the center within the preceding year and have found the center to be free from conditions dangerous to the safety of children. . .

. . . In municipal corporations and in townships outside municipal corporations where there is a fire prevention official, the inspections shall be made by the fire chief or the fire prevention official under the supervision of and according to the standards established by the state fire marshal. In townships outside municipal corporations where there is no fire prevention official inspections shall be made by the employees of the state fire marshal.

. . . Where there is a municipal or county building department certified under section 3781.10 of the Revised Code to exercise enforcement authority with respect to the category of building occupancy which includes day-care centers all required building inspections shall be made by that department according to the standards established by the board of building standards. In areas of the state where there is no certified municipal or county building department. . . inspections shall be made by personnel of the department of industrial relations.

The director of public welfare or his representative shall annually, or more often if in his judgment necessary, examine each center operating in the state.

Infants must receive care only on the first story as defined in the Ohio building code, Chapter BB-57. Unless approval of other arrangements is obtained from the official responsible for fire inspection . . .

The center must have, for each pre-school child, school-age child, and infant for whom the center is licensed, at least thirty-five square feet of indoor floor space wall-to-wall regularly available for the day care operation exclusive of any parts of the structure in which the care of children is prohibited by law or by regulations adopted by the board of building standards.

The center must have on the site or easily and safely accessible a safe outdoor play space which is enclosed by a fence or otherwise protected from traffic or other hazards, contains not less than sixty square feet per pre-school and school-age child using such space at any one time, and provides an opportunity for supervised outdoor play each day in suitable weather.

Infants must receive care in a room or rooms apart from older children.

Individual firm and sanitary cots may be provided for each pre-school child, and no child is permitted to sleep on the floor.

Each infant must be provided with a separate crib of sturdy construction, with closely spaced bars, a firm mattress securely covered with a waterproof material not dangerous to children, and clean crib sheets. There must be no restraining devices of any type used in cribs.

Any child who is suspected of having a communicable disease is isolated immediately in a space set aside for isolation and care of a sick child.

Any pre-school or school-age child who is in attendance between the hours of eleven a.m. and one-thirty p.m. must be served a meal which constitutes at lease one-third of the child's recommended daily dietary allowances, including foods from all four basic food groups, and reflecting the developmental stage of the child. Pre-school and school-age children in attendance for the full day must be served a minimum of one snack which provides nutritional value in addition to calories during the longest between-meals period.

Special diets will not be administered unless instructions to administer such items are written, signed, and dated by a licensed physician, and are prescribed for a specific child.

Formulas should be prepared by the parents if possible. If a formula or infant food is prepared by the center, it must be prepared in accordance with written instructions from the parents or the physician in charge of the child and by a technique approved by the department of public welfare in cooperation with the department of health.

6. Special Notes

The Director of Public Welfare may prescribe requirements for licensing tax-supported or community-supported child day care centers in addition to those included in Chapter 5104 of the revised code which are not in conflict with such chapter. . .

A municipal corporation which owns and operates a child day-care center or which makes application for licensure prior to the establishment of a municipally owned and operated center is excepted from the requirement for payment of a license fee. . .

7. Political Subdivisions with Separate Licensing Regulations

Cincinnati

1. Licensing Agency and Contact

Licensing Service Unit
Oklahoma Department of Institutions, Social and Rehabilitative Services
P. O. Box 25352
Oklahoma City, Oklahoma 73125

Mrs. Florence Frank, Licensing Supervisor

2. Legal Reference

Oklahoma Statutes Annotated 1961, Title 10, Sections 401-410.

Standards for Day Care Centers and Family Day Care Homes, (DISRS), 1971.

"Child care facility" . . . shall mean any public or private institution, child placing agency, foster family home, group home, day care center, or family day care home, providing either full-time or part-time care for children away from their own homes, and which is owned or controlled by a political subdivision, a corporation, an unincorporated organization or association, or individual.

"Day care" . . . shall mean the provision of care and supervision of a child who resides in its own home or with relatives but is in the care of another person for part of the day who is conducting a family day care home or persons conducting a day care center.

A "day care center" means a licensed or approved facility which provides care and protection of six or more children for a part of the twenty-four hour day. The definition of. . .day care center does not include informal arrangements which parents make independently with neighbors, friends, and others, caretakers in the child's own home, and does not include nursery schools, kindergartens, or other facilities of which the purpose is primarily educational, recreational, or medical treatment. (10 O.S.A. 1961 sec. 402).

A Day Care Center is further defined (in the standards) as meaning a facility which provides care for six or more children for six or more hours of the 24 hour day.

"Child" or "minor". . . shall mean any person who has not attained the age of eighteen (18).

The provisions of the licensing act shall not apply to licensed hospitals, maternity homes, to schools under the supervision of the Department of Education, the home of a child maintained by his parent, stepparent, grandparent, brother, sister, uncle or aunt.

The provisions of the act shall be equally incumbent upon all private and public child care facilities. Provided, that any institution furnishing full-time care for children for ten (10 years prior to the effective date of this act shall, upon written notification to the Department, be exempted from the provisions of this act, if it is not receiving any state or federal funds for furnishing food, clothing, shelter, or upkeep for such children; and provided, further, that any institution being operated by a war veterans' organization and furnishing full-time care for children on the effective date of the act shall be exempted from the provisions of this act, regardless of whether it is receiving state or federal funds.

3. Children Eligible, Adult/Child Ratios and Group Size

In general, care of infants away from their families should be discouraged, but if deemed necessary, it shall be in a situation where all the child's needs can be consistently met by one individual, rather than a series of persons and where the child can have an opportunity to develop a strong, warm relationship with one mother figure. . .

It is recommended that, within a month after entry, day care directors require parents or guardians to submit to the day care director a statement from a duly licensed physician indicating that:

a. The child has had a recent physical examination.

b. The extent of his immunizations. If immunizations have not been completed, they must be and evidence so presented; and

c. Any special needs.

Upon enrolling a child in a day care center, parents or guardians shall sign an authorization for the director to administer prescribed medications. . .

There must be an overall total number of staff members to correspond with the chronological age of the children present. Recognizing that all children do not develop at the same rate, the following guide for staff ratio need not necessarily be the guide for exact grouping of children:

Infants in cribs--at least 1 staff member to 4 children

Toddlers (Approximate age 10 months to 2 years)--at least 1 staff member to 6 children

2 years up to but not including age 3--at least 1 staff member to 8 children

3 years up to but not including age 4--at least 1 staff member to 12 children

4 years up to but not including age 6--at least 1 staff member to 15 children

6 years and over--at least 1 staff member to 20 children

When a day care center gives care to mixed ages, there shall be a ratio of one staff member to eight children. No more than two of these children may be infants or children who require special care.

There should be no more than the following number of children in one group:

Infants and Toddlers--8

Two and three year olds--15

Four year olds--20

Five year olds--25

An adult staff member shall be present at all times and provision shall be made for a substitute adult staff member at all times to care for children in an emergency situation.

Construction and Fire Safety Standards with which day care centers must comply provide that there must be a minimum of one staff member, for each floor, on duty at all times.

4. Professional and Other Qualifications for Staff

The day care center shall be sufficiently staffed in order to provide adequate programming for said center.

All staff members must be of good character. . .and be equipped by education, training, and/or experience for the work they are to perform.

All teaching and supervisory staff must be high school graduates or have an equivalent of education and experience---substitute 1 year of experience in group care of pre-school children for 1 year of high school with maximum substitution of 2 years. It is desirable that all staff members working with children add to their knowledge of child development when and where feasible, such as extension courses, institutes, workshops, and various reading materials concerning the field of child development, education and training.

No claims as to standards of care or specialized service shall be made or placed in advertisements unless the center has staff members who are professionally qualified to offer such specific services.

There shall be adequate staff to carry out the necessary clerical, housekeeping and maintenance responsibilities. Maintenance staff--cooks, maids, custodians--must be able to read and write. Such persons may be used as substitute helpers if their personal qualifications and duties permit.

All staff members must possess adequate physical and emotional health. A report of an annual physical examination by a duly licensed physician in the state of Oklahoma is recommended for each person who works in a day care center.

Report of a physical examination by a duly licensed physician in the state of Oklahoma shall be required by the Department for each person working in a day care center who is unable to perform her normal duties or if there is evidence that she has a physical, mental or emotional problem. If a question exists, the licensing worker can request this.

In addition to the aforementioned types of staff health reports, the individual personnel record must include report of an annual tuberculin test and a chest x-ray if indicated.

5. Facilities

The day care center shall comply with the Construction and Fire Safety Standards for Day Care Centers as set forth in Appendix 1 of the Standards. Any day care center which operates on a round-the-clock basis may be required to meet other construction standards required in State Adopted Codes, as determined by State Fire Marshal Inspection. This type facility must submit plans to the State Fire Marshal for any new construction, addition, alteration, or major remodeling.

The day care center shall also comply with local fire ordinances and regulations.

Private water supplies and water systems shall meet requirements of the State Department of Health.

Sewage systems shall meet requirements of the State Department of Health.

Food preparation and service shall comply with the standards established by the State Department of Health for public eating establishments except for those day care centers operating in a private home. These facilities shall comply with all provisions pertaining to public eating establishments except the following:

(1) Commercial three compartment sinks shall not be required. Three suitable compartments or containers including the kitchen sink shall be provided to be used exclusively for the dishwashing, rinsing and sanitizing procedure. Domestic type home dishwashers shall be permitted when installed and operated according to the manufacturer's recommendations.

(2) Self-closing doors shall not be required on toilet room doors.

(3) Handwashing lavatory facilities in the bathroom shall be deemed convenient.

Additions to and major alterations to an existing structure, or conversion of an existing building must conform to "New Construction" standards set forth in Construction and Fire Safety Standards for Day Care Centers.

Before issuing a license, the Department shall investigate the activities and standards of care of the applicant and if satisfied that the applicant meets the requirements as provided in the (licensing) act, a license shall be issued.

The Department shall have authority at any reasonable time to investigate and examine into the conditions of any child care facility in which a licensee . .receives and maintains children. . .

The Department of Health may visit any licensee at the request of the Department to advise on matters affecting the health of children and to inspect the sanitation of the buildings used for their care.

The State Bureau of Investigation, or other agency performing the duties of State Fire Marshal, may visit any licensee at the request of the Department to advise on matters affecting the safety of children and to inspect the condition of the buildings for their care.

Only ground or first floor space may be utilized in caring for children with the following exceptions:

(1) A warm, dry, properly ventilated basement may be used for short periods of time as an accessory play space if adequate provision is made for fire prevention and protection.

(2) Upper floors may be used:

   (a) If adequate provision of fire prevention and protection is made.

   (b) If all other safety provisions are provided such as stair rails, stair gates, and secure window and door screens.

There shall be minimum indoor space of 35 square feet of floor area per child (50 square feet recommended) exclusive of hallways, bathrooms, kitchen and space occupied by furniture not for the children's use. This applies to centers starting or expanding after July 2, 1970.

There shall be outdoor play space of 75 square feet per child (100 square feet recommended). This applies to centers starting or expanding after July 2, 1970. The outdoor play area shall be fenced and free from hazards.

All quarters occupied by children shall be adequately heated, lighted, and ventilated. The recommended temperature is 68°F. maintained at height of children. The recommended lighting is 25-35 foot candle power. Rooms should be relatively free from moisture condensation.

Bathroom facilities shall be suitable, adequate, and easily available to the children. At least one toilet and one wash bowl for every 10 children is required for new or converted facilities. Potty chairs may supplement toilets for emergency purposes.

There shall be a telephone located within the center. Pay telephones are not acceptable.

There shall be an individual cot or bed with individual bedding for each child who remains more than five consecutive hours in the day care center. Each infant and toddler shall be provided with a separate crib and/or play pen. The mattresses and play pen pads shall be covered with waterproof, washable material.

There shall be a room or space available in which children who become ill in the day care center may be cared for. This space may be used by others when not in use by sick children.

Children remaining in the day care center for longer than a four hour period shall be served a balanced meal which shall provide at least one-third of the child's total daily nutritive requirement. Snacks shall be provided both mid-morning and mid-afternoon when the interval between regular meals is four hours or longer.

Sufficient formula, food, sterilized water, juice, etc., should be furnished by individual parent or guardian. . . When formula or infant is furnished or prepared by the day care center, it shall be prescribed by a physician and adequate sterilization methods shall be used.

6. Special Notes

There must be provided. . . safe off-street loading space so that the children are protected from backing cars, from being between cars, and from all traffic hazards.

Where transportation is provided by the day care center, the vehicle used for transportation shall be covered by passenger liability insurance.

With respect to general management of a day care center, it is recommended that adequate liability insurance be provided for children under care as well as for the employees of said center.

With respect to center business organization, the voluntary day care center shall operate under a governing board responsible for the development of policies and the establishment and maintenance of sound financial structure.

7. Political Subdivisions with Separate Licensing Regulations

Oklahoma City.

Cleveland County.

1. Licensing Agency and Contact

Oregon Public Welfare Division
Public Service Building
Salem, Oregon 97310

Miss Elizabeth T. Shurmer, Supervisor
Day Care Unit

2. Legal Reference

Oregon Revised Statutes, Sections 418.805 - 418.990.

Rules and Regulations Governing Group Day Care Facilities in Oregon, (PWD), 1969.

"Day care" means care provided to a child during a part of the 24 hours of the day, with or without compensation. "Day care" does not include care provided:

(a) In the home of the child;

(b) By the child's parent, guardian, or person acting in loco parentis;

(c) By a person related to the child by blood or marriage within the fourth degree as determined by civil law;

(d) On an occasional basis by a person not ordinarily engaged in providing day care; or

(e) By providers of medical services.

"Day care facility" means any facility that provides day care to three or more children, including a day nursery, nursery school group, family day care home or similar unit operating under any name, but not including any:

(a) Facility providing care that is primarily educational, unless provided to a pre-school child for more than four hours a day.

(b) Facility providing care that is primarily supervised training in a specific subject, including but not limited to dancing, drama, music, or religion.

(c) Facility providing care that is primarily an incident of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group.

(d) Facility operated by a school district, political subdivision of the State or a governmental agency.

(e) Group care home licensed under ORS 443.210 to 443.330 (Group care homes for physically handicapped children or the mentally retarded of any age.)

No person shall operate a day care facility caring for five or more children without a certificate of approval for such facility from the Public Welfare Division.

Any person operating a day care facility for fewer than five children may apply for a certificate of approval for such facility from the Public Welfare Division.

Child means a child under 15 years of age.

3. Children Eligible, Adult/Child Ratios and Group Size

A certificate of physical examination . . . signed by a physician licensed by a State Board of Medical Examiners shall be required for each child admitted, showing freedom from communicable diseases and from any physical or mental defect that would require extraordinary care on the part of the staff, or that would be deleterious to the other children in the day nursery.

Satisfactory evidence of immunization against smallpox, diphtheria, whooping cough, poliomyelitis and measles shall be furnished for each child admitted.

Children entering day care must have an examination to exclude communicable tuberculosis within 30 days following placement if they have not had an examination within the 90 days prior to placement; and an annual examination thereafter. The examination required shall include either a tuberculin skin test or a chest x-ray film which, in order to be acceptable to indicate freedom from communicable tuberculosis, shall:

(a) In the case of a tuberculin skin test, be interpreted as indicating a negative reaction or

(b) In the case of a chest x-ray film, be technically satisfactory and be interpreted by a physician as showing no evidence suggestive of communicable pulmonary tuberculosis.

In the event of a positive reaction to a tuberculin skin test, a chest x-ray film examination interpreted by a physician as showing no evidence of pulmonary tuberculosis is required.

At least one attendant for each group of 10 children shall be present in the facility.

When infants under two years of age are received, separate qualified attendants. . .shall be provided.

Children must be under competent adult supervision at all times.

Day care facilities are prohibited from admitting children for periods of care exceeding 12 hours.

4. Professional and Other Qualifications for Staff

The staff to care for the children shall at all times be adequate and competent. It shall include a Director who shall have full responsibility for the manner in which the facility is operated and at least one competent assistant who shall be available and take charge whenever the Director is absent.

Each member of the staff must be a person of good character, be in good physical and mental health and adapt by temperament to work with children. Persons knowing or suspecting that they have a communicable disease must not work in a day care facility.

All personnel, paid or volunteer, who work in a day care facility are required to have an examination to exclude communicable tuberculosis. This shall be within the year prior to employment or within the 30 days immediately following employment. Subsequent examinations are required annually. The examination required shall include either a tuberculin skin test or a chest x-ray film which, in order to be acceptable to indicate freedom from communicable tuberculosis, shall:

(a) In the case of a tuberculin skin test, be interpreted as indicating a negative reaction or

(b) In the case of a chest x-ray film, be technically satisfactory and be interpreted by a physician as showing no evidence suggestive of communicable pulmonary tuberculosis.

In the event of a positive reaction to a tuberculin skin test, a chest x-ray film examination interpreted by a physician as showing no evidence of pulmonary tuberculosis is required.

5. Facilities

Buildings must have the approval of the State Fire Marshal and comply with Local Building Codes.

The plumbing system shall meet the standards set by the State Board of Health.

The methods of garbage and disposal shall meet the standards set by the State Board of Health.

On receipt of the application for a certificate of approval the Division's representative shall make an evaluation for consideration for certification. It is also provided that:

(a) An authorized representative of the Public Welfare Division may inspect the premises of any day care facility to which a certificate of approval has been issued at any reasonable time to determine whether it is in conformity with the licensing law and rules.

(b) An authorized representative of the State Board of Health may inspect the premises of a day care facility caring for seven or more children to determine whether the facility is in conformity with applicable laws and regulations relating to health and sanitation.

(c) The Public Welfare Division may enter into cooperative arrangements with the State Board of Health the State Fire Marshal and other public agencies for the provision of services in the inspection of day care facilities. . .

(d) The Division shall not issue or renew any certificate of approval for any day care facility for which an inspection by the State Board of Health has been requested unless an authorized representative of the State Board of Health submits a written finding that the facility is in compliance with applicable laws and regulations relating to health and sanitation.

All rooms used for the care of children shall be above the street level or grade.

The following will be considered essential to every day facility: indoor and outdoor play space, adequate sleeping space, isolation facilities, lavatory and kitchen.

All rooms used for the care of children shall have at least 35 square feet of floor space, and 280 cubic feet of air space for each child.

The outdoor play space shall be sufficient for recreational purposes. It shall be suitably surfaced and have good drainage. (Space that is covered and usable in rainy weather is desirable.) Protection from the street traffic and other hazards to life or health is essential to approval of the play space. Play space out-of-doors must be so enclosed or patrolled as to protect the children from a street hazards. No hazards to safety within the play space shall be permitted.

When infants under two years of age are received . . . separate quarters (including sleeping and playrooms) that are apart from those used by older children shall be provided.

A temperature of approximately 70 degrees Fahrenheit at a point 24 inches above the floor shall be maintained in all rooms occupied by the children. The heating plant shall be capable of maintaining a temperature of approximately 70 degrees Fahrenheit at a point 24 inches above the floor in all rooms occupied by the children.

Rooms used for the care of children shall have one or more windows opening on a thoroughfare, yard or court, with a ratio of window area to floor area of at least one to eight. (It is recommended that all rooms be located so as to receive the maximum amount of sunlight.)

Convenient and sanitary toilet facilities shall be provided, with at least one toilet and one wash basin for every ten children.

There shall be a separate crib, with a mattress protected by waterproof covering, for each child under two years of age. Individual beds or folding cots shall be provided for all of the children.

If a child becomes ill while in the day care facility, he must be segregated from the other children and placed in isolation until removal from the day care facility.

Proper and adequate food shall be provided and served. Morning and afternoon snacks, in addition to lunches, shall be served.

Food served shall be sufficient in quantity, of a quality supplying proper nourishment, and suited to the needs of the children for whom it is prepared.

The serving of raw milk is prohibited.

6. Special Notes

7. Political Subdivisions with Separate Licensing Regulations

City of Portland.

Multnomah County.

1. Licensing Agency and Contact

Office of Family Services
Commonwealth of Pennsylvania
Department of Public Welfare
Harrisburg, Pennsylvania 17120

Sara H. Roberts
Licensing Program Supervisor

2. Legal Reference

Purdon's Pennsylvania Statutes Annotated, Title 62, Section 1001 et seq.

Regulations - Child Day Care Centers Subject to Licensing, (DPW), June 1969. (DPW-C&Y Manual, Title 5300).

"Child day care" means care in lieu of parental care given for part of the twenty-four hour day to children under sixteen years of age, away from their own homes, but does not include child day care furnished in places of worship during religious services.

"Child day care center" means any premises operated for profit in which child day care is provided simultaneously for seven or more children who are not relatives of the operator, except such centers operated under social service auspices.

Facilities operated by the State or Federal governments or those supervised by the Department of Public Welfare are not subject to licensing requirements.

Any day care center commencing operation after January 1965 shall not incorporate in its title any reference to nursery school, kindergarten or other education program for which it is not licensed.

(Day care centers which accept public funds either directly or indirectly are subject to all provisions contained in the Regulations. Centers which do not accept public funds are exempt from certain of these provisions. The summary which follows reflects only regulations to which all facilities are subject and, unless otherwise noted, not the additional requirements levied upon facilities which accept public funds.)

3. Children Eligible, Adult/Child Ratios and Group Size

Day care centers shall be used for children between the ages of three and 16 years. Children under the age of three shall not be cared for in a day care center. If school-age children are enrolled they shall attend school in accordance with the requirements of the Public School Code of 1949, as amended.

If the own children of the licensee or any member of the day care center's staff attend the center they shall be included in the enrollment of children accepted for care and must be over three and under 16 years of age.

Prior to admission of the child the director shall have for the records a certificate of health signed by a licensed physician stating that the child was examined within the two-week period prior to the date of his admission and found to be physically well, immunized in accordance with the immunization requirements. . . and tested for tuberculosis. . . The child's admission medical report shall include his past medical history, an evaluation of his general health, a summarization of the admission examination and recommendations, if any, for regular medication, modification of diet and activities and needed immunizations. Prior to admission each child shall have been immunized against diphtheria, whooping cough, poliomyelitis, smallpox, and tetanus or be in the process of being immunized and all immunizations must be completed within three months after admission. Each child shall have an intra-dermal test for tuberculosis. Parents of a child with a positive reaction shall be referred to their family physician or a clinic and the child may be admitted to the center only if the medical report states that he is not infectious.

A complete medical examination including an intra-dermal test for tuberculosis and an appraisal of the child's general health and development shall be required at least annually for each child and more often if necessary.

Prior to the admission of the child to the center the director shall have for the records a signed agreement between the director and the parent or parents setting forth the amount of the fee to be charged per day or per week, the dates upon which payments are to be made and the services which are to be included in the fee. If certain services are to be considered as extras, they shall be stipulated in the agreement.

Each group of children, as defined below, shall be assigned a full time child care staff member and assistant except, when groups consists of 10 children or fewer one assistant may be assigned to two groups provided the adult/child ratio conforms with regulations for the various age groups.

The number of children in a group shall not exceed the following, according to age, as determined by enrollment records:

Age	Number of Children in a Group
3 to 4 years	15
4 to 5 years	20
5 to 6 years	20
3 through 5 years (mixed age group)	15
6 to 8 years	25
8 to 10 years	25
10 to 16 years	25
6 through 10 years (mixed age group)	25

Note: centers which accept public funds either directly or indirectly shall assign full time child care staff and assistance to provide the following staff/child ratios: 1 to 5 for 3 to 4 year olds; 1 to 7 for 4 to 6 year olds; 1 to 10 for 6 to 16 year olds.

There shall be a minimum of two adults, one of which may be the proprietor or person in charge, available at all times when children are in the center. Children shall not be left unattended, indoors or outdoors, at any time.

4. Professional and Other Qualifications for Staff

Sufficient staff qualified by experience and training shall carry out the functions of the day care center including administration, programming of daily activity, care and supervision of children, housekeeping, food preparation and maintenance of buildings, grounds and equipment. They shall be of good character and possess personal qualifications for working with children.

Child Day Care Center Director. The person responsible for directing, developing, and supervising the daily program activities of children shall be over the age of 21 years and qualified by training in child development or early childhood education and substantial experience in working with children.

If employment begins after June 1969, the director shall have completed two years in an accredited college or university, including 12 credit hours in child development or early childhood education; or shall have completed a two-year course in an accredited junior college with a major in child development or early childhood education.

Assistant Director. An assistant director shall be employed when the daily enrollment of the day care center exceeds 50 children.

The assistant director shall have essentially the qualifications of the director or the person responsible for daily program activities.

A day care center with a daily enrollment of less than 50 children shall have a staff member designated to be in charge during the absence of the director.

Group Supervisors. Under the guidance of the director the group supervisor shall supervise the daily program activities and direct the activities of the assistant group supervisors and aides.

The person shall be at least a high school graduate and have had at least one year of experience in working with children.

If employment begins after June 1969, the group supervisor for pre-school children shall within two years have successfully completed 18 credit hours of training in child development or early childhood education or an equivalent amount as approved by the Department of Public Welfare or the Department of Public Instruction; and the group supervisor for school age children, a similar amount of training in elementary education. All training shall be obtained from an accredited college or university or through equivalent training accepted by the Department of Public Welfare or the Department of Public Instruction.

The group supervisor of school-age children shall, in addition to the qualifications set forth in (b) and (c) have specific ability, interest, and experience in arts and crafts, music, or recreational skills.

Assistant Group Supervisors. Assistant group supervisors shall be capable of supervising a group independently for brief periods of time with direction from the group supervisor as well as performing other activities assigned by the group supervisor.

Assistant group supervisors shall have been graduated from high school or shall have had two years experience as an aide in a child day care center.

Aides. Aides shall have six years of education and at least two years' experience caring for children or organizing and running a household, or any equivalent combination of training and experience, or shall have successfully completed an approved training program.

Aides shall be under direct supervision at all times and shall not be permitted to assume independent responsibility for a group of children.

Clerical Services. The day care center shall have adequate clerical services to keep correspondence, records, accounts and files current and in good order.

Cook. The day care center shall have a competent cook or the services of a licensed caterer to prepare food in accordance with the provisions of Section 5353 of the Regulations.

The cook shall have had six months experience cooking on a household or volume basis and such training as may have been gained through completion of the sixth grade, or any equivalent combination of experience and training.

Janitorial and Maintenance Staff. The day care center shall have available sufficient staff to perform janitorial and maintenance duties so that the buildings, grounds, and equipment are well maintained.

In centers accepting public funds there must be provisions for social work services.

All staff including temporary staff, who have contact with children or whose duties include food handling, shall have physical examinations prior to employment and annually thereafter, including tuberculin tests or chest x-rays as indicated. A medical statement from a licensed physician shall be on file for each member certifying that the person has no physical or mental condition that would be detrimental to the children. Volunteers shall have the same medical examinations as are required for employed staff.

5. Facilities

The day care center shall conform to the laws of the Commonwealth and to all local ordinances regarding buildings, equipment, zoning, health, sanitation and fire protection. Inspections as required will be arranged by the State Department of Public Welfare.

It is further required that child day care centers shall conform to all. . . applicable. . . regulations set forth by the Pennsylvania Departments of Health, Labor and Industry, State, and Public Welfare, and to the Pennsylvania Human Relations Commission as well as to Title VI of the Civil Rights Act of 1964.

Plumbing shall meet state and local plumbing codes.

Plans for construction or for remodeling structures shall be approved by the State Department of Public Welfare, the Department of Health and the Department of Labor and Industry or the City Department of Public Safety if the facility is located in Philadelphia, Pittsburgh or Scranton. Such plans shall be submitted first to the Office of Family Services, State Department of Public Welfare, which will assist in making arrangements for review of the plans by the other departments.

In addition to provision for Departmental investigation of the applicant and the place to be used as a day care facility before licensure, there is also provision for inspection of licensed facilities to determine continuing conformity with the licensing act and applicable regulations.

Matters of environmental health such as source of water supplies, sewage disposal systems, food service facilities and other related environmental health factors shall be inspected and approved by the Department of Health as frequently as is recommended by that Department to assure safety.

Indoor space shall be at ground level or above, except, rooms partially below ground level that are dry, warm, well lighted and ventilated may be used with the approval of the appropriate safety and sanitation authorities.

There shall be a minimum of 35 square feet of clear floor area for each child. This floor area shall be exclusive of space occupied by cupboards, toy shelves, large equipment, stacked furniture and equipment and exclusive of halls, bathrooms, offices, kitchen, locker rooms, etc. The same area may be used for both play and sleep.

Outdoor play space shall be adjacent to the center and safely accessible. When not adjoining the premises there must be suitable equipment and toilet facilities available and staff members must accompany children to and from the playground. The play area shall be fenced or otherwise adequately protected. The outdoor play space must provide a minimum of 65 square feet of space per child. The total outdoor play space shall be sufficient in size to accommodate at least half of the total established child capacity. The space used for any one group shall be in one plot with no part less than 15 feet in width. Any day care center opened after January 1965 shall have a minimum of 65 square feet of outdoor play space per child times one-half the total established child capacity of the center but in no case shall the space be less than 650 square feet.

Buildings constructed or acquired for use as a day care center after January 1965 shall provide separate play rooms for each group of children. . . If large rooms are divided into separate play rooms, each rooms shall have its own entrance and no play room shall be used as a passageway for another group. Day care centers already in operation may continue to use large rooms in their present buildings for more than one group of children, if the room is divided by non-hazardous means and provides each group with its own "room" or space that is adequately lighted and ventilated.

There shall be provisions which meet the particular needs of handicapped children served by the center.

Every room used for playing, eating or sleeping shall have one or more windows through which adequate light and fresh air may enter.

A minimum temperature of 70 Fahrenheit shall be maintained in all rooms used by children.

There shall be one stationary wash bowl and one toilet for each 10 children under 6 and at least one for each 12 children of school age. Separate toilet facilities for adults shall be available in centers with a daily enrollment of 25 or more children.

The day care center shall have a listed telephone.

Any pet or animal present on the premises, indoors or outdoors, shall be in good health, properly cared for and known to be a friendly, suitable companion for children.

Each child shall be assigned a separate cot or bed with appropriate clean bedding. The child shall have the exclusive use of bedding assigned to him until it is ready to be laundered. Bed linens shall be clean at all times and laundered at least once a week. Cots shall be light in weight and easily moveable. A separate, clean rug or mat if used for short rest periods shall be assigned to each child.

An isolation room or protected space shall be provided for the temporary care of the child who becomes ill while attending the center. This space shall be so located that it is easily supervised.

Meals shall be scheduled so that the period between meals in the center is never more than four and one-half hours. When the center is open six hours or longer, a mid-morning snack, a nutritionally adequate noon meal and a mid-afternoon snack shall be served as defined in "Meal Planning Guide for Day Care Centers" (No. HNB-2304P) prepared by the Nutrition Division, Pennsylvania Department of Health. Food provided for children at the center shall be plentiful and nutritious and the menus sufficiently varied so as to be enjoyable and attractive to children.

Children shall receive . . . variation in diet . . . only on written order from a licensed physician.

6. Special Notes

If transportation is provided by the center, passenger cars used in the transportation of children must be covered by automobile liability insurance in amounts not less than $50,000 per person, $100,000 per accident and $5,000 proprty damage.

The Department also prescribes regulations for non-profit day care centers which are not required to be licensed bu which must be supervised by the Department. (Regulations-Child Day Care Centers Under Social Services Auspices, DP C&Y Manual, Title 4600).

7. Political Subdivisions with Separate Licensing Regulations

PUERTO RICO

1. Licensing Agency and Contact

Department of Social Services
Commonwealth of Puerto Rico
San Juan Puerto Rico

2. Legal Reference

Laws of Puerto Rico Annotated (1963), Title 8, Sections 68-78.

Regulation #4 for the Licensing and Supervision of Day Care Centers. . . (DSS).

Day-care center means any establishment of whatever name, devoted to the care of six or more children of over two years of age during part of the 24 hours a day, with or without profit.

Child means a human being under 18 years of age.

Exempt from licensing requirements are the Department of Education, persons who care for one or two children or those persons who take care of children related by consanguinity or affinity.

3. Children Eligible, Adult/Child Ratios and Group Size

No child will be admitted to the center who is under two years of age.

The father or guardian will fill out an application for the child's admission to the center. . .

A written authorization signed by the person who, as the patria potestas or guardian of the child is required upon admission of the child, consenting to the referral of a child to a physician in case of an emergency. If the partria potestas or guardianship passes to another the same authorization is immediately required.

A general physical examination will be given to each child prior to admission to the center and as many times as necessary. There after children suffering from contagious diseases will not be accepted.

Each child who has not been immunized against chicken pox, typhus, tetanus, diphtheria, measles, mumps and other diseases common to children, will be referred for immunization with the prior written authorization by the person with the patria potestas or guardian of the child.

There will be one (staff) person for every 15 children.

When the centers serve children with physical impediments, mental retardation, or emotional problems there should be a person for every six children.

4. Professional and Other Qualifications for Staff

The director of the center should be a teacher, a nurse, or a person who has completed high school, and should have sufficient experience in working with children whose ages correspond to the ages of those who are under the care of the center in question.

The director shall be at least 21 years of age.

The director shall have good physical and mental health which shall be adequately proved.

The director who does not have development at the daily activities program with the children under his direct responsibilities should require of the person who does have this responsibility the same academic and experience requisities as the position of director.

Each center shall include among its personnel a graduate or assistant nurse.

The nutrition program shall be guided by a competent nutritionist.

There will be sufficient employees for cleaning the place where the center is located, for the preparation and service of food and for washing and ironing clothes.

All employees will be submitted to an annual physical examination which will include an examination of urine, blood, feces, chest x-rays, and vision. At the request of the Department, a psychiatric evaluation may be required.

5. Facilities

The place occupied by the center will comply with the requirements of the Planning Board, Environmental Health Programs of the Department of Health and the Fire Department.

The director and all the personnel of the center shall offer all necessary facilities to the authorized officials of the Department of Social Services who come to inspect the center so that the inspection is carried out rapidly and efficiently. It is provided by statute that "the Division may, through its authorized representatives, visit and inspect, whenever it shall deem necessary . . ."

The location of the center will always be on the ground floor. The rooms will be large with twenty-five (25) square feet per child for indoor activities. . .

. . . There shall be a yard outside for a play area. The yard where the children play will be enclosed by a fence which shall be at least five (5) feet in height, constructed in such a way that it will not permit the children to go out or animals to enter. The fence will have a gate which will be kept locked and will have a lock that is out of the reach of the children.

The center will have a sink and toilet for each fifteen children to adequately take care of the children's needs.

There will be a bed, cot or mat for each child to take a nap.

An isolated area will be equipped for temporary care of the children who develop symptoms of any illness while the necessary arrangements are being made.

The food served at each center shall fulfill nutrition requirements essential for a balanced diet.

In those centers where children less than three and a half (3 1/2) years of age are cared for, the kitchen will be equipped to prepare formulas and/or special food.

6. Special Notes

Each center should have insurance policies covering the public, the children and employees in case of accidents.

Each public day care center shall have a board of directors composed of at least three members, who will be responsible for its functioning.

7. Political Subdivisions with Separate Licensing Regulations

RHODE ISLAND

1. Licensing Agency and Contact

Child Welfare Services
Division of Community Services
Rhode Island Department of Social and
Rehabilitative Services
600 New London Avenue
Cranston, Rhode Island 02920

Mrs. Eleanor S Briggs, ACSW
Chief Supervisor--Licensing Services

2. Legal Reference

General Laws of Rhode Island 1956, Section 40-15-1 et seq.

Standards for Day Care Centers and Day Nurseries, (DSRS), 1970.

Any person who receives for the purpose of nursing and care apart from their parents or guardian, at one (1) time, three (3) or more children not of common parentage, under the age of fourteen (14) years, for a period or periods exceeding four (4) but not exceeding twelve (12) hours, irrespective of compensation or reward, shall be deemed to maintain a day nursery. (GL §40-15-1).

Licensing provisions shall not apply to persons caring for relatives, to institutions receiving aid from a town, city or the state, or maintained by a town, city or the state, to institutions with special charters, or to charitable institutions established in this state on April 30, 1948. . .

As further defined in the Standards, the terms day care center and day nursery, used interchangeably, refer to a group facility in which three or more children, not of common parentage and from three to fourteen years of age, spend more than four hours of the day. The Center is a setting which offers group day care services to children away from their homes, their parents or guardians. Here the young child can play, work, and grow under the guidance of a trained teacher. The older child in his after school hours and vacation days is guided by an understanding group leader. The facility is operated by a Director, a professional who is responsible for the Center which is regularly inspected and appropriately licensed.

Day Care Services include comprehensive and coordinated direct care and protection; offer educational, social, health and nutritional opportunities to children; and involve parent participation. Directed toward serving the best interests of both children and their parents, the services help to strengthen family life.

A nursery school is a facility operated by an individual, or a voluntary, independent or public agency which meets the needs of the pre-school child, giving opportunity for developmental experiences, child guidance, parent education, and family consultation services. When operating less than four hours a day, a nursery school is under the jurisdiction of the Department of Education and its operation must seek approval from that Department.

3. Children Eligible, Adult/Child Ratios and Group Size

A child must have passed his third birthday to be eligible for participation in the program of the day care center.

Results of a pre-admission health examination show the child to be free from evidence of contagious disease and explain his mental and physical handicaps if any. . . . The examination may be made by the child's own pediatrician, by a community health clinic, or by the center's physician. Pre-admission medical history is completed by the parent including proof of immunization and vaccination against diphtheria, whooping cough, tetanus, measles, poliomyelitis, and smallpox.

All children except the exceptional child should possess sufficient motor control and coordination to care for their basic bodily needs.

Children with handicaps should be admitted only after a team of specialists recommend they try group day care in this setting.

Other criteria for admission should include:

> Need for the day care service is clearly indicated and is in the best interests of the child and his family;
>
> Expected regularity in the child's attendance;
>
> Parental willingness to meet the cost of his appropriate share for the day care services offered.

Staff, in addition to the head teacher, should approximate the following ratio:

Age of Children	No. of Children	Assistant Teachers
3 years	7 to 10	1
4 years	10 to 15	1
5 years	15 to 25	1

If the maximum number of children in a category is exceeded an additional responsible adult must be provided. A second responsible adult should be readily accessible in case of need.

Volunteers and other auxiliary personnel must not be included as "staff" to help with the staff-child ratio.

There must be at least two adults on the premises at all times.

4. Professional and Other Qualifications of Staff

There must be a nucleus of people who work full time. . .who will utilize the supplemental help of part time specialists. . .who are needed only for a fraction of the day or week, but whose skills are necessary to the well-being of children.

In addition there may be other personnel: (1) services purchased as needed from an established agency (child welfare, family service, mental health agency); services purchased on a fee basis (psychological testing); and volunteers who give of their time because of their concern for children.

Director. One who has had experience in administration and professional preparation in a field appropriate for those who work with small children such as social work, education or nursing. The Director and Head Teacher may be one and the same person if all qualifications for both positions can be met.

Head Teacher. There must be in each day care center a head teacher who is professionally prepared in early childhood education and experienced in working with young children. Minimum requirements for this position shall be: A bachelor's degree from an accredited college with preferably a major in early childhood education. Substantial credits in courses dealing with early childhood education plus considerable teaching experience with young children, may be presented in lieu of the bachelor's degree if plans have been initiated for the completion of the minimum requirements within a five-year period.

If this staff person is in charge of a group of children she must have full-time assistance of another duly appointed adult.

Assistant Teacher. The assistant teacher should have an associate degree with courses in early childhood education or child growth and development.

Minimum requirements shall be at least a high school education; a minimum of two years of higher education or equivalent life experiences.

Social Worker. Casework service, an integral part of day care programs, is particularly concerned with admittance, refusal, and termination of services to the child; continuing contact with his parents to coordinate and extend the work of the program; and fee setting so that financial arrangements are in accord with family's ability to pay. The social worker should meet these requirements--a master's degree from an accredited school of social work, preferably with experience, and/or orientation in child welfare or early childhood education.

Minimum requirements for a caseworker shall be a bachelor's degree preferably with a major in sociology, psychology, or early childhood development, preferably with social work experience in a recognized social agency. Social service may be part of the regular day care center service or it may come through some other agency in the communuty.

Day Care centers with limited staff and small pupil enrollment may not need a full time caseworker, yet all centers benefit greatly from social service. It is recommended that in selecting staff, a person with knowledge and experience in the helping professions be assigned the duties usually assumed by the caseworker; or that arrangements be made with other agencies to share the service of a social worker.

Consultants. The agency shall call on trained personnel from other fields as needed: Medicine, Nursing, Nutrition, Education, Psychology.

The service of a nutritionist, the center's consultant physician, and/or nurse should be used in planning the nutrition program.

Kitchen and Maintenance Staff. All persons selected for employment should in character and personality be appropriate for a day care program. In addition, they should be able to maintain high standards in carrying out their specific assignments.

(The person who serves as custodian should do his work when the children are not present.)

Clerical Staff. The clock-hours of employment will depend on the size of the agency. Personnel employed for clerical work should give evidence by training and experience that they can be held responsible for maintaining records, handling funds, and performing other office duties assigned to them.

Aides. Manpower shortage gives opportunity for a day care center to employ persons who lack professional skills but who are able to relate successfully to children. Whether a volunteer or not, an aide should work directly with a designated professional who always retains the responsibility for the welfare of the children with whom he is charged.

Volunteers. Volunteers and other auxiliary personnel may be used at the discretion of the agency.

In the interest of the health and safety of all who participate in a day care program, every employee must conform to all regulations set by the State Department of Health and the Department of Social and Rehabilitative Services which apply. More specifically:

> At the time of original employment every employee must have a complete physical examination, including chest x-ray, smallpox immunity, and any other test required by the Center's physician.
>
> The employee must file with the Director documentation signed by a licensed physician that he is in good health, free from contagion, and will not be a source of contagion.
>
> Every employee must have a yearly physical examination and chest x-ray, and file evidence of his continuing good health.

5. Facilities

Site selection considerations should include:

> Zoning ordinances concerning the location; away from industrial plants and traffic dangers.
>
> Availability of community facilities including fire and police; or in the absence of public facilities others approved by public health and police authorities.

The building(s) must meet all specific requirements of the State Fire laws and preferably should be of fireproof construction.

The kitchen must meet adequately the health, fire, and building laws.

The center must comply with all rules and regulations established by local and State authorities for the health and safety of children. In setting up its health plan local and State regulations must be observed by the day care center.

The building must be approved by the State Fire Marshal, State Health Officials, local fire chief, and local building inspector. All their recommendations must be met before a day care license can be granted.

Children and staff must participate in monthly fire drills as directed by state fire laws.

. . . Individuals or groups proposing. . .to make major changes in existing facilities must consult with the licensing agency during the early stages of their planning.

Day care center inspections are conducted by Child Welfare Services and fire, health and building authorities. When the formal application and statements of approval (i.e., fire, health, building) have been received, an investigation is made by the designated Child Welfare Services official. If the designated official approves a day care center a license will be issued. Prior to expiration of the license, renewable annually, a Child Welfare Services official will make arrangements for the annual re-evaluation visits. Following the renewal study made by the several inspectors (fire, health, building) and the receipt of all the re-approval documents, a new license will be issued.

Day care centers are subject to semi-annual review by the State Fire Marshal, local fire chief, local building inspector, and sanitary inspector.

Rooms occupied by pre-school children must be on the ground floor.

At least 35 square feet of floor space (5' x 7') is required for each child in the activity rooms. This is exclusive of storage areas, cloakrooms, bathrooms, isolation area, office, halls and kitchen.

Outdoor play space is an essential, especially for children in city day care centers. . . There must be at least 75 sq. ft. for each child. . . There must be a fence at least four feet in height around the outer boundary to protect children from hazards. Gates must be secured.

Rooms should be well-lighted; adequately ventilated without drafts; and dry.

There should be at least one-fourth as much window as floor space; adequate artificial lighting (20 to 35 ft. candle power); temperature at least 72°F. at the level of the children's height, with heat constant; and a minimum of 300 cu. ft. of air space for each child.

When children remain for meals a separate unit must be provided exclusively for food preparation. The kitchen should preferably be on the ground floor, reasonably near the classrooms, and large enough for the number of children and adults to be served. If it is to be shared after hours with other groups safeguards for food supplies, dishes and cleanliness must be carefully worked out with the licensing agency.

The day care center must be adequately equipped with toilet and handwashing facilities, located on the same floor as the children, preferable adjacent to each classroom, and for the exclusive use of the children. There must be one flush toilet 12 to 14 inches from floor, and one washbowl without stopper 24 inches from the floor, for each ten children registered. There must be a minimum of two in each center. Staff must have separate facilities, near the teacher's rest area or the administration office.

There must be a telephone in the day care center.

Individual washable cots, preferrably the stacking type, must be provided for children on the premises more than four hours. . .

An isolation space must be provided for the child who becomes ill. Not used by other children, this area must be located where the child can have the supervision of a staff person. . .

A child who spends five to eight or more hours in the day care center needs a substantial part of his total daily food intake during his stay. That is, a major part of his daily food needs must be provided in the mid-morning snack, usually a hot lunch, and the mid-afternoon snack. In some centers it may be desirable to serve breakfast in addition. . . Morning snack should be simple and nourishing; served at one and one-half hours before the noon meal; and consisting of fruit juice (preferably citrus), pieces of fresh fruit or raw vegetable sticks, and a plain cracker or cookie. Sweet drinks and candy must not replace foods needed for growth. Afternoon snack should be more substantial than the morning snack, and may include a glass of milk, a bread and butter or other simple sandwich, or plain crackers or simple cookies. (Milk should be homogenized. Dried milk or powdered milk must not be used for drinking purposes.) Noon meals must be nutritionally balanced and usually hot. . .

6. Special Notes

Any vehicle used to transport children. . .must carry liability insurance.

7. Political Subdivisions with Separate Licensing Regulations

SOUTH CAROLINA

1. Licensing Agency and Contact:

Children and Families Services Division
State Department of Public Welfare
State of South Carolina
P. O. Box 1520
Columbia, South Carolina 29202

Mrs. Deborah M. Southerlin
Chief, Children and Families Services Division

2. Legal Reference.

Code of Laws of South Carolina 1962, Section 71-231 et seq.

Rules and Regulations Relating to Licensing Day Care Facilities and Child Care Centers, (DPW), Rev. 1967. (also In S.C. Code 1962, Rules and Regulations, "Welfare, Public Department.")

Any agency, institution, or family home engaged in the business of receiving children for care and maintenance, either part time or full time, shall be classed a child welfare agency.

Exceptions are (1) the existing (March 9, 1956) agencies operating under established religious denomination except as these agencies voluntarily assume the rights and obligations of this Act; (2) The Children's Bureau; (3) any children's home or institution to which state funds are appropriated.

"Day Care Facility" shall mean and include any agency, institution, center, home, day nursery, nursery school, play school, or other place, however styled and whether operated under public auspices or as a private business, in which are received for temporary custodial care apart from their parents, part of the day or all day or part of the night, and upon any number of successive days one or more children not related to day care family or staff of facility; but the term does not include the day care service of any agency to which State funds are appropriated, nor does it include any kindergarten or school which has as its primary function educational instruction and which operates (1) under the supervision of the State Board of Education or a County Board of Education, or (2) under a qualified teacher, or (3) less than four hours per day. Provided, however, that any kindergarten or school exempted under this provision may be licensed upon its voluntary agreement to subject itself to the terms and provision of the law relating to child welfare agencies. Day care services owned and operated by established religious denominations may be included only if such facilities voluntarily assume the rights and obligations of the Licensing Act.

A "Child Care Center" may mean or include any home, center, agency, school or place, however styled, where children not related to operator are received for care, apart from their parents whether for compensation, reward, or otherwise, during part or all of the day or night and upon any number of successive days or nights.

A "Day Care Center" is a facility, operated apart from the regular family living quarter, which provides care for children apart from their parents during the day only.

"Adults" shall mean a person 21 years or older.

"Infant" shall mean a child under 2 years of age.

(The summary below reflects basic requirements for licensing group day care facilities - child care centers and day care centers.)

3. Children Eligible, Adult/Child Ratios and Group Size

Within thirty days before admission (preferably a week before admission), each child must be given a thorough physical examination by a physician.

The physical examination shall indicate that there is freedom from communicable disease; no history of recent exposure to communicable disease, and that the child has been satisfactorily immunized or in the process of being immunized against smallpox, whooping cough, diphtheria, tetanus and polio, unless there is a medical reason why these immunizations should not be done.

Tuberculin tests shall be given when history indicates.

Generally group care is not recommended for children under three; however, the ratio of adults to children when grouped by age follows:

Infants (under two years old) - one adult for four to six children.

Two year olds - one adult for six to eight children.

Three year olds - one adult for eight to ten children.

Four year olds - one adult for ten to fourteen children.

Five year olds - or over - one adult for fifteen children.

There shall be a minimum of two adults for any group, however small.

At all times, one adult shall be designated as being in charge.

At no time shall any children be without adult supervision.

4. Professional and Other Qualifications for Staff

The director shall be a mature, competent person who is responsible and who has a knowledge of and sympathy for the needs of small children.

All members of the regularly employed staff shall be qualified adults of good character, who are mentally and physically able to provide good care for children, maintain responsible supervision and stimulate normal development appropriate for the children enrolled. Consideration may be given to the use of a limited number of mature minors (18 years and above) who have had training and experience in child care. At no time, however, may a minor be left alone with the responsibility of the facility and there must be a sufficient number of adults to wisely use the help of a minor.

All staff, whether full or part time, shall submit, before beginning work and annually thereafter, a physician's certificate stating that they are free from any illness which might conflict with the children's interests. The first certificate shall include a report of a serological test by an approved laboratory and of a chest x-ray which was interpreted as showing no evidence of active tuberculosis.

Cooks, food handlers, janitors, maintenance staff, etc., shall secure a health card from the County Department of Health according to the requirements of the South Carolina State Board of Health.

If the facility is operated in a private home, every member of the household shall be expected to have the same physical examination as is required of the staff.

5. Facilities

The facility shall be free of fire hazards and shall conform to the sanitary laws and ordinances of the State, County, City or Town in which it is located.

Toilets are required to be of the flush type unless the facility is located in a rural area, in which case toilets provided shall be approved by the State Department of Health (or county department).

Any changes in the facility or its operation which affect the best interest of children under care shall be reported immediately to the county department of public welfare. . . If additional space becomes available or other changes made which indicate an increase in the license, the county department may request the State Department of Public Welfare to increase the number of children to be cared for by the facility.

There shall be annual inspections and compliance with the recommendations made by such health authorities and fire authorities who are required or permitted to inspect and enforce health, sanitation, and fire regulations.

Each day care facility shall be studied by a duly qualified representative of the Department of Public Welfare, or by a licensed child placing agency. A license shall be issued or denied on a basis of the review of a study and recommendation sent to the State Department by a County Department of Public Welfare. Annual renewal of the license is contingent upon the yearly evaluation of the facility by the county welfare department. If, upon the review of the evaluation in the State Department, the day care facility meets the basic requirements for licensing, the license will be renewed.

Location shall be in a safe and convenient place which will be:

(1) usually on the first floor,

(2) never above the second floor unless in a completely fireproof building, or

(3) never in a basement room with floor more than three feet below surface. . . When children under three are cared for upstairs, a gate must be provided at the head of each flight of stairs to which children have access.

The facility shall not be overcrowded. Thirty-five square feet of space per child is required, and it should be recognized that a desirable amount is fifty square feet. Kitchen, bath and isolation area must not be included in the thirty-five square feet.

Outdoor play space shall be provided and a minimum of 75 square feet of fenced play space per child is required. . .

Rooms used by the children shall be comfortably heated in cold weather and provisions shall be made for keeping rooms cool in extremely hot weather. The rooms shall be free of dampness and have adequate ventilation.

Adequate natural and/or artificial light shall be provided.

There shall be adequate toilet and washroom facilities easily accessible to playrooms and playground. A minimum standard is one commode and one lavatory or other suitable facility for each eight children. . .

If age of child warrants it and if time spent in group is longer than three hours, there shall be space and equipment so that each child can secure adequate rest and develop good sleep habits. This usually means: a washable cot, crib, bed or suitable sleeping pad for each child. . .

If children are kept overnight the sleeping arrangements should include a bed with comfortable mattress. . .

Space shall be provided for temporary isolation in case of illness. A separate room with at least a day cot is needed and this should be a place not used regularly for other children. It should be ventilated with either a fan or window, preferable a window. After use by a sick child, the linen should be changed and washed, the room thoroughly aired, and the cot washed. This room, when not in use for isolation, might well be used for a child who needs to have a quiet spot and some rest from the group.

The children in a center giving overnight care shall have regular, planned meals and snacks, which are well balanced, appetizing, varied, and sufficient for their nutritional needs.

There shall be spacing of mealtime so that in the 24 hours there are no unduly long periods without food.

If children are cared for at least three hours, but not all day, provision shall be made for snacks and lunches.

6. Special Notes

7. Political Subdivisions with Separate Licensing Regulations

A business license is also required by the City of Greenwood.

SOUTH DAKOTA

1. Licensing Agency and Contact:

State Department of Public Welfare
Pierre, South Dakota

Mrs. Silvia Engkjer
Consultant II, Day Care Services

2. Legal Reference.

South Dakota Compiled Laws 1967, Sections 26-6-1 et seq.

Standards for Licensing Day Care Centers, (DPW), 1971.

Any agency or institution maintained by a municipality or county, or any agency or institution maintained by a person, firm, corporation, association or organization to receive children for care and maintenance or for placement in a family home, or that provides care for unmarried mothers and their children, shall be deemed to be a child welfare agency. . . A child welfare agency shall be licensed. . . for activities which fall within one or more . . . categories which include the providing of group care and supervision of children on a regular basis for part of a day as a supplement to regular parental care, with or without compensation, in an institutional setting, in a place which shall be known as a day-care center.

Any individual, group of individuals or corporate entity which establishes, operates or maintains a facility which provides care and supervision as a supplement to regular parental care, for a group of six (6) or more children for part of a day, is required to be licensed as a Day Care Center. The providing of such care for six (6) or more children is deemed to be institutional in nature, rather than home care. Facilities whose primary purpose is educational, and those established as summer or recreational camps are not subject to licensing as Day Care Centers. Care furnished by institutions operated by other departments of State government is also exempt from licensing requirements.

3. Children Eligible, Adult/Child Ratios and Group Size

Admission of each child shall be on an individual basis with consideration of each child's needs and readiness for a Day Care Center experience.

Before admission to the Day Care Center a medical statement shall be submitted stating that the child is free from tuberculosis and other contagious or infectious diseases. Recordkeeping requirements prescribe that the child's health record include current immunizations, any medical condition or handicap the child has and its necessary management. . .

Both parent and child shall be seen prior to admission.

There shall be a written agreement with the parents concerning the hours the child is to be in care, amount of fees, and time of payment.

The ratio of Center Staff shall conform to the following:

Age of Children	Adult Ratio	Maximum number of Children in Any Center
0 to 3	1 to 5	10
3 to 6	1 to 8	no maximum
6 to 14	1 to 10	

Additional service staff, if employed as clerical, secretarial, cook, housekeeper, etc., shall not be included in the determina- of Adult-Child Ratio.

There shall be no more than 20 children in an activity grouping.

Each Center shall have a minimum of two (2) adults present at all times to insure supervision of the children.

A child shall not be cared for in a Center on a full-time basis, but shall be returned to his parental home each day.

4. Professional and Other Qualifications for Staff

At least one staff person in each Center shall have had some form of formal training, either through a Child Development program in college, or through successful completion of inservice training program in order to insure that the Center may fulfill its denied purposes.

The Director, Supervisor, and Assistants in each Center shall attend at least one Day Care Training Program each year.

Director. The Director, or Proprietor, shall be at least twenty-one (21) years of age.

The Director, or Proprietor shall have graduated from high school or shall have obtained an approved certificate of high school equivalance, and shall have at least three (3) years experience working with children of the ages they intend to care for in the Center.

If the Director or Proprietor is also acting as the Supervisor, he or she shall be responsible for planning, supervision of and direct implementation of the program and activities of the children and shall meet the qualifications set forth for Supervisor.

Supervisor. A Supervisor shall be at least twenty-one (21) years of age.

A Supervisor shall have graduated from high school or shall have obtained an approved certificate of high school equivalance, or shall have a Bachelor's Degree in Early Childhood Education or Child Development, a related professional field, or three years of successful experience working with children in a licensed Day Care Center or one which could meet the Licensing Standards of the State of South Dakota.

A Supervisor shall be responsible for supervising the daily program activities and directing the activities of the Assistants.

Each Center shall have at least one (1) Supervisor in regular attendance throughout the day.

Assistants. There shall be sufficient Assistants to the Supervisor available to maintain the appropriate Adult-Child Ratio.

An Assistant shall be at least eighteen (18) years of age.

An Assistant shall have at least one of the following:

(a) One year of experience working with children in groups

(b) Have completed one child care training course such as is offered in Vocational Education courses

An assistant shall be a person who can carry out some of the Supervisor's responsibility, and who can at times be alone with the children.

Student Helpers. Student helpers shall be at least fourteen (14) years of age and at least five (5) years older than the oldest child with whom they work.

Student helpers shall be under the direct supervision of the Director or Supervisor, and shall not substitute for regularly employed staff.

Social Services. There shall be social services provided when the stated purpose of the Center indicates it will primarily serve the exceptional child, who has been diagnosed as mentally retarded, emotionally disturbed, or physically handicapped.

If the Center's purpose necessitates the provision of social services, the Center shall:

(a) Designate staff to provide social services;

(b) Provide social services through the staff of a recognized social service agency.

Other Staff. The Day Care Center shall have additional service staff (clerical, maintenance, etc.) in order that the program for the children is not interrupted with service duties.

Volunteers. Volunteers, including mothers, assisting in the program, shall have the same personal qualifications as employed staff, and their interests and skills shall determine their assignments within a Day Care Center. They may be assigned to assist in any capacity, if they meet the qualifications required for the position.

A Physician's Report shall be completed annually for each staff member.

5. Facilities

A new Day Care Center shall submit its plans or drawings as appropriate, and program plans to the State Fire Marshal and the State Department of Health and to the licensing agency, to be approved prior to opening of the facility and going through the licensing process.

The Day Care facility shall be located in a neighborhood which is approved by Fire and Health Authorities in terms of safety, and where the Center is able to fulfill their purposes.

The Center shall not be licensed if it does not receive approval for license by the appropriate fire authority.

The Center shall not be licensed if it does not receive approval for license by the appropriate health office.

(See also "Other Compliances" in section 6, below.)

A Fire inspection shall be conducted by the appropriate fire authority prior to initial licensing and each year thereafter for renewal of the license.

An Environmental Health Survey shall be conducted by the appropriate health office prior to initial licensing and each year thereafter for renewal of the license.

Before issuing such license the department shall investigate the activities and standards of care of the agency, and, if satisfied as to the need for the agency, its financial stability, the good character and intent of the applicant, and that the equipment of the agency and its services are conducive to the welfare of the children, a license shall be issued. Renewal of license is not automatic, but requires application and proof of continued performance of standards by the licensee.

Each playroom shall provide at least 35 square feet per child in addition to area occupied by fixed equipment such as sinks and lockers.

There shall be at least 50 square feet per child in out-of-door play area or an indoor area that provides ample room for large muscle activity.

The outdoor area shall be free of hazardous obstacles and trash and shall be protected from street traffic by use of enclosed fencing.

Each child who naps shall have an individual cot or mat.

A child who becomes ill during the day shall be isolated from the group until an adult responsible for the child can take the child home.

A child remaining at a Day Care Center for a full day session shall receive a mid-morning snack, lunch, and a mid-afternoon snack consisting of wholesome food and liquid nourishment meeting one-third of the daily food requirements.

A simple nourishing snack such as milk or fruit juice shall be served any child who is at the Center longer than two (2) hours.

6. Special Notes

Other Compliances:

The Day Care Center shall comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder Relating to Non-discrimination in Federally assisted programs.

Personnel Practices shall not be in violation of South Dakota Compiled Laws of 1967, Title 60, entitled Labor and Employment.

Each Day Care Center shall have liability insurance covering not less than $25,000 for one person and not less than $100,000 for one accident.

A Day Care Center which provides transportation to and from the Center as part of its program, shall have their vehicles insured with an adequate passenger liability policy.

Centers operated by a public or private agency or incorporated organization shall have a Governing Board. . . The Board shall meet twice a year and more often as necessary for proper administration of the center. An Executive Committee shall be available between meetings to transact any necessary business.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact.

Tennessee Department of Public Welfare
410 State Office Building
Nashville, Tennessee 37203

Licensing Department

2. Legal Reference.

Tennessee Code Annotated, Sections 14-1401 - 14-1423

Day Care Standards, (DPW), 1966.

. . . Child welfare agency shall include child-caring institution, child-placing agency, maternity home, family boarding home, family day-care home, and day-care center . . .

Day-care center shall mean any place, except places under the supervision of any religious organization, operated by a person, society, agency, corporation or institution or any other group wherein are received for pay eight (8) or more children under 17 years of age for group care, without transfer of custody for less than 24 hours per day.

Any child welfare agency . . . which is under the direct management of an administrative department of the state, a county, or a municipality, or any combination of these three, shall not be subject to license but shall meet the minimum standards of program and care as required of such child welfare agencies.[1] Schools for preschool children under six years of age operated or approved by any county, city, or special school district board of education operating a system of public schools are not subject to the provisions of the licensing law, but must comply with the rules and regulations established by the State Board of Education for schools for children under six years of age.

Day care centers exempt from licensing may apply for a license from the Department if they wish to have an official evaluation of their services made in terms of State licensing requirements.

1/ Although not licensed, these facilities are subject to inspection.

3. Children Eligible, Adult/Child Ratios and Group Size

Children under 2 years of age are not permitted in a day care center.

The parent(s) of each child must present a certificate to the day care center, signed by a licensed physician, stating that the child has had a medical examination during the two weeks before or within the week following admission. The certificate must state that the child is free from communicable disease and must give the dates he was immunized, or indicate that he is in the process of being immunized against smallpox, tetanus, whooping cough, diphtheria, poliomyelitis, and measles. This requirement also applies to the operator's own children, grandchildren or other relatives in the day care center. All immunizations must be completed within a three-month period after admission unless there is a medical reason, certified by a physician, why these immunizations should not be made. The physician's certificate must state the presence of any condition affecting the general health of the child, or any handicap, and should include any suggestions that will be helpful in caring for the child. If there is evidence of tuberculosis in the family, a tuberculosis skin test must be made on the child and, if indicated, an x-ray of the chest.

Each child must receive a physical examination annually and at any other time indicated by his general condition. Such booster shots as the individual physician recommends should be given annually.

A teacher must have a full-time assistant within the group whenever the number of children exceeds the maximum in the following schedule:

Age	There Should Be	There Must Be
2 and 3 years	1 adult to 8 children	1 adult to 10 children
4 years	1 adult to 10 children	1 adult to 15 children
5 years	1 adult to 15 children	1 adult to 25 children
6 and older	1 adult to 20 children	1 adult to 30 children
2 through 5 years	1 adult to 10 children	1 adult to 12 children

Recommended and maximum allowable group sizes are:

Age of Children	There Should Be No More Than	There Must Be No More Than
2 and 3 years	12 to 15 in each group	20 in each group
4 and 5 years	15 to 20 in each group	25 in each group
6 and older	25 in each group	30 in each group
2 through 5 yrs.	15 to 18 in each group	20 in each group

If school-age children are cared for, it is strongly recommended that they be in separate group supervised by staff qualified to work with this age level.

Because of the many emergencies that occur in the care of young children, there must be adult supervision at all times. Arrangements must be made for a teacher to be able to call a second adult in an emergency without having to leave the group.

Clerical and maintenance staff must not be included in the teacher-child ratio, but may be used as emergency substitutes if their duties and qualifications permit.

If meals are served, the person who is responsible for preparing meals and washing dishes cannot be included in the adult-child ratio while performing these duties.

4. Professional and Other Qualifications for Staff

Persons under 21 or over 65 years of age must not have responsibility for a group of children unless supervised or assisted by a person between these ages.

There must be a director, responsible for staff and program and in charge of the center. There must be an adult designated to substitute in his or her absence. The administrative duties of the director must be considered in determining the number of teaching staff required.

The director should have a bachelor's degree with a major in early childhood education, child development or nursery education. If the director has not had this professional training, he or she must meet the qualifications for teachers.

All teachers must be high school graduate or have an equivalent combination of education and experience, substituting one year of experience in the group care of preschool children for one year of high school, with a maximum substitution of two years.

It is recommended that teaching staff who have not had formal training in early childhood education, child development, or nursery education should attend at least one of the following each year:

(a) Workshop or institute for preschool teachers sponsored by the Department, any local preschool organization, college or university.

(b) Course work, resident or extension, in early childhood education, child development or nursery education at any college or university. The director or board should give each member of the teaching staff the opportunity to attend such training programs. All teaching staff should participate in related professional organizations such as the Tennessee Association on Children Under Six, Southern Association on Children Under Six, National Association for the Education of Young Children, Association for Childhood Education International.

Day care centers which employ or use the services of professional staff such as physicians, nurses, psychologists and psychiatrists must use persons who meet professional standards in their fields. The caseworker must be a graduate of an accredited four-year college or university.

Cooks, maids, and custodians must be able to read and write.

Prior to employment and annually thereafter, all members of the teaching staff must be examined by a licensed physician to determine that they are free from any illness which might interfere with the performance of their duties or endanger the health of the children. The examination must include a tuberculin skin test and an x-ray if indicated. This requirement for medical examination of staff applies also to other adults who are frequently in the day care center including all members of the household.

Staff members who prepare or serve food must obtain an annual food handler's permit from the Health Department.

5. Facilities

All buildings must be approved by the Fire Prevention Division of the Tennessee Department of Insurance and Banking, and by the Department of Public Health.

Bath room facilities must have the approval of the sanitarian of the local Department of Public Health. There must be at least one flush toilet and one hand-washing facility. If the day care center has no flush toilet, the special approval of the sanitarian of the Health Department must be obtained.

Drinking water must be from a source approved by the Health Department.

Eating, drinking, cooking and other utensils used in the storage, preparation, and serving of food must be washed in warm water with soap or detergent, and subsequently treated by immersion in boiling water at a temperature of not less than 212°F. or by a hot water rinse with subsequent immersion in bactericidal solution approved by the Tennessee Department of Public Health.

The Commissioner of the Department of Public Welfare, based upon a study by a representative of the Department, together with written reports of inspections made by the State Department of Public Health and the State Fire Marshal, will determine whether a license will be issued. The statute provides that it shall be the duty of the Department, through its duly authorized agents, to inspect at regular intervals without previous notice all child welfare agencies. . .within the State.

Ground or first-floor space is desirable for children. A well-ventilated and lighted basement may be used if approved by the Department of Health and the Fire Prevention Division of the Department of Insurance and Banking. Second story space may be used if it has fire prevention clearance.

The indoor playrooms must have sufficient floor area available for play. For each preschool child there must be 30 square feet of floor space occupied only by the children's play material, equipment and furniture. Fifty square feet is desirable. Kitchens, bathrooms, halls used as passageways, family bedrooms and floor space occupied by permanent built-in cupboards must not be considered as floor space available for play.

(School-age children spend more time outdoors than preschoolers. They take more excursions and when indoors tend to work and play in closer contact with each other. They do need ample outdoor and indoor space.) If less than 30 square feet of indoor play space is provided for school-age children, special permission must be obtained from the Department.

The outdoor play area provided for the day care center must contain at least fifty square feet of usable play space per child in any group using the playground at one time. One hundred square feet is recommended. . . Any area which contains garbage pails, drainage ditches, or like hazards must be fenced so that children cannot come in contact with them. . . If there is a traffic hazard, adequate fencing must be provided to prevent children from running on driveways, streets or highways. If the play yard is not subject to traffic hazards, a hedge or an informal type of boundary can serve as a fence.

Each group of children must have a designated area. This can be a room or a series of rooms. If one large room has enough floor space and is used for two groups, it must be divided by some means, such as screens, so that each group has a place of its own.

Rooms used by children must be well ventilated and lighted. Window space must be equal to at least 10 per cent of the floor area except in rooms which are air conditioned and which have artificial light amounting to at least 25- to 35-foot candlepower. Windows must be openable unless the room is air conditioned. . .

All rooms used by the children must be adequately heated. A temperature of not less than 68°F is recommended. . .

There must be a telephone for use in emergencies.

There must be individual cots or beds, sheets, and a blanket for each child who remains for more than five hours in a day care center. These must be kept in a sanitary condition. Beds used by family members must not be used by children. Children may take midmorning rest on rugs or mats if each child has his own and it is kept in a sanitary condition.

Space must be provided for children requiring isolation in case of emergency illness or when a child needs to be by himself. It must contain a cot, bedclothes, and play equipment which can be easily sterilized, and must be located where it can have constant supervision by a staff member.

For children in the center four hours or longer, a noon meal and one snack must be provided to meet one-third to one-half of the daily food needs of the child. For those in the center longer than eight hours, the food needs of the child must be furnished in one meal and two snacks. It is recommended that children who have had no breakfast at home be served food soon after they arrive.

Each meal must be well balanced and planned to provide approximately one-third to one-half of the day's food requirements for children and must include one cup of milk, one to two ounces of meat or alternate (fish, poultry, egg, cheese, dried beans, peanut butter), a combination of fruits and vegetables amounting to 3/4 cup, and one serving of enriched or whole grain bread or cereal. All milk used must be pasteurized.

6. Special Notes

Insurance to protect children and operators in case of accidents should be provided.

Every nonprofit day care center must have a governing board which is broadly representative of the community it serves.

Additional requirements are prescribed for use in licensing centers for mentally, physically or emotionally handicapped children. These are contained in Day Care Standards.

7. Political Subdivisions with Separate Licensing Regulations

September 1971 standards, applicable to both commercial and nonprofit day care centers, supersede those current during the conduct of Day Care Survey 1970 which addressed each type of facility separately. The following summary, as noted below, covers both the current and superseded standards.

1. Licensing Agency and Contact

Texas Department of Public Welfare
John H. Regan Building
Austin, Texas 78701

Mrs. Mabel Pitts
Program Consultant in Child Development and Day Care

2. Legal Reference

Texas Civil Statutes (Vernon) Article 695c, Section 8(a).

Minimum Standards for Day Care Centers, (DPW).

Interpretation and Application of Minimum Rules and Regulations for Operation of A Commercial Day Care Center, (DPW), 1961.

Minimum Standards for Day Care Centers, (DPW) (effective Sept. 30, 1971).

A day care center is any place maintained or conducted under public or private auspices, without profit, which cares for more than six (6) children during a part of the twenty-four (24) hours of the day. (Tex. Civ. Stat. (Vernon) Art. 695c, § 8(a), 1(c)).

The 1971 Standards further define a nonprofit day care center as one that has received a certificate of incorporation as a nonprofit corporation from the office of the Secretary of State, Texas and/or one that has received tax exempt status from the Internal Revenue Service.

A commercial day care center is any place maintained or conducted, for profit, under public or private auspices which cares for more than six (6) children during a part of the twenty-four (24) hours of the day. (Tex. Civ. Stat. (Vernon) Art. 695c, §8(a), 1(d)).

Child-caring. . . institutions and agencies which are owned and operated by the State are exempt from the licensing and regulatory provisions of the licensing act; except that this provision shall not prevent the State Department of Public Welfare, or the Board which controls a State-owned child-caring . . . institution or agency, from requesting the State Department of Public Welfare, or an Advisory Board composed of the Executives of licensed institutions, to give counsel, to be expressed in a written opinion, on any matter which might contribute to the efficiency of said institution or agency, and hence might be in the public interest.

3. Children Eligible, Adult/Child Ratios and Group Size

Commercial Centers

Each child must have a licensed physician's signed and dated statement (current within one week before the date of child's admittance to the center) and renewed annually, certifying the child is free of infectious and contagious diseases, and indicating any special conditions (such as allergies, special diets, restriction on physical activities, or specifications on medications) which the physician feels will be helpful to the day care director in care of the child. Required immunizations include diphtheria, whooping cough, tetanus, smallpox and polio vaccine, and dates thereof will be verified by a statement signed by a licensed physician. If these have not been obtained prior to the child's enrollment, they must be started within one week of admittance unless the child's physician recommends to the contrary in writing.

The medical statement shall specify the presence or absence of any disabling conditions affecting the child's participation in group activities.

Each day care center shall have a pre-admission conference with the child's parents or guardian, and an agreement shall be reached at such conference regarding factors relating to services to be provided, fees therefor, etc.

There shall be a plan for grouping the children. When there are enough children in the same age group to have more than one group, placement shall take into consideration not only chronological age, but physical, mental, emotional and social development.

The ration of child care staff to children shall be as follows:

Age of Children	There Shall Be
Under 2 yrs.	1 adult to 4 children
18 mos. to 3 yrs.	1 adult to 6 children
2 yrs. to 3 yrs.	1 adult to 8 children
3 yrs. to 4 yrs.	1 adult to 12 children
4 yrs. to 5 yrs.	1 adult to 15 children
5 yrs. to 6 yrs.	1 adult to 18 children
6 yrs. and over	1 adult to 25 children

(Own children up to age 14 are included in this staff-child ratio, if they are under care in the center.)

In connection with above staff ratios, use the age of the youngest child in the group to determine which ratio must be met.

In considering the above-outlined ratio of supervisory staff to children the factors enumerated below are mandatory:

a. If there are 50 or more children enrolled in the day care center, the jobs of director, cook, and domestic are full time jobs (defined as a minimum of 8 hours in an all-day program). Only the director may be considered a part of the child care staff.

b. If there are 30 through 49 children enrolled in the day care center, the jobs of full time domestic and cook can be considered as 1/2 staff member each in the staff-child ratio. The director may be considered a part of the child-care staff.

c. If there are 7 through 29 children enrolled in the day care center, there must be a domestic employed at least 3 hours (for an all-day program) in the center, doing domestic work. The director may be considered a part of the child care staff.

This staff ratio shall be maintained at all times during hours of care for children.

Any and all members of the child care staff shall be relieved of all other duties during hours of care or supervision of the children. There shall be a qualified child care staff member readily available to substitute for the regularly assigned staff members in each group. Such person shall be on duty when the regularly assigned staff member is away from the group, for no matter how short a period of time, whether indoors or out.

A separate program shall be planned when there is group day care for infants. In arranging such a program, plans shall be made for the infants to have consistent day care daily by the same mother substitute.

Nonprofit Centers

It is strongly recommended that a child under four (4) years of age be cared for outside a group-care program unless he is being received for short-time care while another plan is being worked out. Group care of infants should not exceed temporary periods of from one to three months.

The study made preceding admission shall include a medical examination with required routine tests and laboratory work, a social study and an indication of the child's mental capacity.

Before a child is admitted the day care center shall have the report of a medical examination by a licensed physician. The examination must include immunizations for smallpox, diphtheria, and other immunizations and tests recommended by the local health authorities. Any child not so immunized shall be required to obtain such immunizations within thirty days of admission.

The day care center shall not admit a child whose needs it obviously cannot meet, nor a child whose presence would be undesirable or dangerous for other children in the center.

The employees of the day care center, whose time is wholly devoted to child caring without other responsibilities, shall number at least 1 to every 10 children over 2 years of age and 1 to every 4 infants under 2 years of age. This ratio shall be maintained at all hours the children are given care.

No day care center shall offer at the same time full-time care and care for part of the day, unless entirely separate facilities are set up and both types of licenses are granted.

1971 Standards

The day care center shall keep an individual medical record for each child admitted to the center. This record shall contain:

Upon admission, a statement dated and signed by a physician duly licensed to practice medicine, certifying that the child has been currently examined by the physician and the child is physically able to participate in the day care program.

A statement from health personnel that the child has been skin tested for tuberculosis with appropriate follow-up.

A written statement from a physician or health personnel in the administering agency that the child has been immunized at an appropriate age against diphtheria, tetanus, smallpox, rubeola, rubella, poliomyelitis and and other disease designated by the State Board of Health.

OR

A written statement from a physician or health personnel that immunization against at least one of the aforementioned diseases has been started and that all immunizations will be completed as soon as is medically feasible. A written statement from the physician or health personnel when the immunization cycle has been completed.

OR

A signed affidavit from a physician that in his opinion immunization would be injurious to the health and well-being of the child or any member of his family or household.

OR

A signed affidavit from the parent or guardian that immunization conflicts with the tenets and practices of a recognized church or denomination of which he is an adherent or a member.

Mentally retarded or emotionally disturbed children shall not be present in a day care center without prior consultation about and written approval of the day care program as it applies to these children by an individual approved by the State Department of Public Welfare. The person(s) legally responsible for the day care center, or his representative, shall notify the State Department of Public Welfare in writing in advance of the admission of a mentally retarded or emotionally disturbed child to a center where no such child is presently enrolled.

The number of children supervised by one child care staff member shall not exceed the following ratio:

A minimum of one staff member for
4 or fewer children under 18 months old
6 or fewer children at least 18 months old but under two years old
8 or fewer children at least two years old
12 or fewer children at least three years old
15 or fewer children at least four years old
18 or fewer children at least five years old
20 or fewer children at least six or seven years old
25 or fewer children at least eight years old or older.

When there is a combination of ages within a group of children, the age of the youngest child shall determine which of the above staff-child ratios is applicable.

In determining the staff-child ratio, the following shall apply:

> Any person under 14 years of age in the center shall be counted as a child.
>
> The director or the assistant director in charge of a day care center shall be counted in the staff-child ratio only during those hours when she gives full attention to supervising children.
>
> Service workers (cooking, housekeeping, maintenance staff) shall be counted as child care staff only during regularly scheduled hours when the service workers give full attention to supervising children (e.g. early morning or nap time).

Staff members working with children shall be free from all other duties except those directly pertaining to the children.

Grouping shall be according to the staff-child ratio, (e.g. 12 or fewer children at least three years old shall be in one group).

Each group shall be under the supervision of one or more specific staff members.

If the child is to take part in water activities, the parent's or guardian's signed and dated permission shall be on file.

A day care center shall not accept children for irregular (drop-in) care unless all of the following conditions are met:

> The facility is operating below licensed capacity or spaces are retained specifically for drop-ins.
>
> The staff-child ratio in each group is maintained.
>
> All other licensing requirements are met including a file on the child containing the up-to-date immunization record, emergency form, etc.
>
> Parent or guardian is informed that he must determine in advance if space is available before leaving the child.

4. Professional and Other Qualifications for Staff

Commercial Centers

The director shall be at least 21 years of age and not over 65, unless there is an assistant with the qualifications of a director who is between 21 and 65.

The director shall provide the Department of Public Welfare representative with four references which may be contacted to gain knowledge of the director as to the reputation, character, judgment, understanding of children, and experiences pertinent to child care practices and general attitude towards children.

A specific staff person shall be named as assistant director so that in the event the director must be absent, there is a clear understanding as to who is in charge.

All child care staff members between the ages of 16 and 21 years shall be under the supervision of a qualified adult who is above this age range. (It should be understood that a license cannot be granted where any regularly employed child care staff member is under the age of 16.)

The director in turn shall require references of all employees prior to their employment.

Where swimming pools exist on the premises of the day care center, there shall be a qualified life guard. . .

All adult members of the household shall be of good character. No adult member of the household may be alcoholic, mentally ill, or mentally retarded, nor may a mentally deficient child member of the household be present if there is danger to other children in the center, nor may any totally disabled person in the household be in the center during the hours the children are in care.

If in the course of a licensing study there is any indication from any source that some member of the household may use alcohol to excess or be mentally ill or mentally retarded, such a matter shall be thoroughly explored by the Department of Public Welfare worker through contacts with references, law enforcement officials, physicians, etc. A license may not be issued if facts so gained indicate the presence of any of these conditions, if in the opinion of the Department of Public Welfare there is danger to other children in the center. A physician, school records, community guidance records, etc., will be used in the instance of a mentally ill or mentally retarded child member of the household to evaluate the possibility of danger to other children in the center.

If there is any question regarding the above factors, the Department of Public Welfare representative shall have the right to request the center to provide professional information on the matters at issue from a recognized authority, such as physician, psychiatrist, etc.

Arrangements shall be made for any totally disabled person in the household not to appear before any of the children who are in care.

All persons working in the day care center shall have a medical examination by a licensed physician prior to employment, annually thereafter, and at any other designated times as needed. As shown by a signed statement of the physician the director and employees shall be in good health and able to care for children, have no communicable diseases, have negative chest x-ray and blood serology and immunization against smallpox within the last five years. In instances where requirements for a food handler's card cover the foregoing requirements this will be acceptable in place of a signed statement by a physician.

Nonprofit Centers

The executive (appointed by the responsible governing body) shall be charged with setting up safeguards for the children's health and welfare.

The executive is responsible for the child's adequate supervision in the center at all times. A responsible person shall be left in charge during any absence of the executive.

A medical examination by a licensed physician, recorded on forms provided by the State Department of Public Welfare, shall be required of each staff member before he or she is employed in a day care center. This examination shall include all the necessary tests to insure the employee's freedom from communicable and infectious diseases, and shall attest to the employee's ability to care for children.

Any person employed in or operating child care centers who handle food must have a health examination indicating that they are free of disease.

Re-examination of the individuals who handle food shall be made as frequently as necessary in compliance with the regulations as set up by the local health department.

All employees handling food shall wear clean clothing, hair nets, and shall keep their hands clean at all times while engaged in their work at the day care center.

1971 Standards

The day care center shall have a director or assistant director at the site who is responsible for its day-by-day operation.

The person(s) legally responsible for the facility shall select the director. (The legally responsible person and the director may be the same person).

In day care centers licensed after the effective date of these licensing standards (Sept. 1971), the director of the day care center shall have:

A high school diploma, or

A certificate of high school equivalency, or

Obtain a certificate of high school equivalency within 3 years of the notification of educational deficiency.

If the director is not present at least 80% of the time the day care center is in operation, this standard applies to the assistant director.

The director of a day care center shall provide the Department with the names and addresses of three persons not related to the director or one another, to attest to the Director's character and suitability for directing a day care center.

Each staff member shall be competent and reliable and mentally, physically and emotionally able to assume assigned responsibilities.

Statements from three references attesting to the character and suitability of each staff member shall be in the records of the day care center.

There shall be a substitute present when a regular staff member is absent.

When a swimming pool (water level over six inches) is available there shall be a lifeguard on duty when in use.

Training shall be provided or made available to all day care center personnel for the purpose of improving job performances.

At the time of employment and annually thereafter, each staff member, volunteer and household member shall obtain a health card or a statement dated and signed by a physician duly authorized to practice medicine, certifying that the person is free from communicable and contagious diseases. At the time of employment and annually thereafter, the persons listed above shall be skin tested for tuberculosis with appropriate follow-up.

All household members under fourteen years old shall have health examinations and immunizations as required for children in the day care center.

No adult who is mentally ill or severely mentally retarded or whose behavior reflects the use of alcohol or the abuse of drugs shall be allowed on the premises of the day care center.

5. Facilities

Commercial Centers

Day care centers shall meet requirements of local and state laws and ordinances for sanitation, zoning, health, fire, building construction, safety, and all other applicable state laws and/or local ordinances.

All plumbing shall be installed and maintained according to accepted sanitary engineering practices and shall comply with local plumbing and building code regulations and ordinances.

The water supply shall be obtained from the approved public water system, if available; otherwise, from a source or system meeting the State Department of Health Standards.

Drinking fountains, if used, shall be of a type approved by the State Department of Health.

There shall be adequate and sanitary sewage disposal through connection to the public sewer system. If there is no public sewer system available, the method of sewage disposal shall be determined by the State Department of Health.

Where swimming pools exist on the premises of the day care center. . . the pool shall meet the local and/or State Health and Sanitation regulations.

The use of washable cots is permissible if approved by the Health Department.

The place and plan for isolating children shall be approved by the Health Department or other medical approval.

When pots and basins are used (in addition to toilets and lavatories) they shall be disinfected after each using according to the method prescribed by the local health department.

Pets shall be immunized in accordance with local regulations governing such matters. All dogs shall have a rabies immunization as recommended by Public Health Officials.

These standards to insure proper health and sanitation in regard to milk shall be met:

> Grade A pasteurized milk, or its equivalent, shall be served to the children unless permission is given by the local health department to serve other grades.
>
> The home pasteurization method prescribed by the local health department shall be used if pasteurized milk is not available in the community.
>
> Home milk supplies shall meet local health department standards.

All foods shall be properly protected in accordance with the Texas Food and Drug Laws and all meat must be inspected by a recognized governmental agency.

If food is prepared away from the center all Rules (for operation of commercial centers) relating to kitchen equipment, storage, preparation and sanitation shall be met in addition to sanitary mode of transporting food to the center.

All dishes, glasses, silverware and other utensils shall be handled in accordance with State Dish Sterilization Law.

Wiring shall conform to standards set by the National Electrical Code, or local ordinance, whichever, is higher. (For further information consult local electrician or electrical inspector.)

Roofs shall be covered with a material that will comply with the National Fire Protection Association, "Class C Covering" or better, such as asbestos shingles or built-up roof (tar and gravel).

One unit of Class B Fire Extinguisher, labelled by the Underwriters Laboratories, shall be installed in the kitchen; one unit of Class A Fire Extinguishers for each 2,000 square feet or fraction thereof throughout the building with at least one extinguisher for each floor.

Contemplated changes in the day care center, positively or adversely affecting the welfare of the children, or any changes which affect the condition under which the license was granted, shall be reported to the Licensing Office by the authorized staff member of the center as soon as possible.

The State Department of Public Welfare shall have the authority to visit and inspect all facilities embraced within the licensing Act, whether licensed or unlicensed, at all reasonable times, to ascertain if same are being conducted in conformity with the law or if any conditions exist which need correction.

In the case of 2-story buildings in use as day care centers, the following shall apply:

a. Children under three years of age shall be kept on the first floor; for older children a gate must be provided at head and foot of stairs of such height that children cannot crawl over. A similar gate shall be provided at the head and foot of basement stairs.

b. At least two exits or fire escapes shall be provided on the second floor, located ao as to give exit from different sides of the building. Exits from basements shall meet fire and safety regulations.

c. All stairs shall be equipped with guard rails and hand rails of proper height for children and must be covered with non-skid material. Stairs must be adequately lighted.

Attics, basements without windows, and trailer houses shall not be used for day care of children.

The indoor play rooms for children one year of age and older shall have sufficient floor area available for play (occupied only by the children's play materials, equipment and furniture) to provide 35 square feet of floor space per child. Floor space occupied by permanent built-in cabinets and shelves may not be considered as floor space available for play. This shall not include such rooms as bath, kitchen, halls, offices, and other rooms not available to the children for active play. The indoor play area and the napping area may be identical provided the cots are stored in a well ventilated spot away from the play area when not in use.

There shall be outdoor play space adjacent to the center building with 80 square feet per child per group occupying the space at one time. The outdoor play space shall be enclosed by a suitable fence adequate for ages of children enrolled and gates must be securely fastened.

A separate room shall be provided for group day care of infants.

Rooms used by children shall be adequately ventilated, the heat in the winter months to be controlled by a room thermometer - 68° to 72° F. for sleeping rooms, 68° to 80° F. for other rooms.

There shall be sufficient window space and artificial lighting to prevent eye strain in all rooms used by the children and stuff.

There shall be one lavatory and one toilet for the first 10 children and one lavatory and one toilet for each additional 10 children or portion thereof.

Pots and basins may be used in addition to toilets and lavatories.

Every day care facility shall have a telephone above which a list of major emergency numbers is posted.

If pets are kept on the premises, they shall be penned during day care hours except when being used for nature study. They shall be kept clean and free of vermin.

Individual cots or cribs shall be provided for each child. Each child under five years of age being cared for in the center for a period of six hours or more shall be provided the opportunity for a rest and/or nap period on an individual cot or crib.

Any child showing symptoms of illness upon admission or during the day shall be isolated from the other children until he can be returned to his home.

In a 5 to 9 hour day children in the day care center shall be served food which will provide at least 1/3 of the recommended daily dietary allowances of the national research council in one main meal and two snacks; and for children in day care longer than ten (10) hours at least 2/3 of the daily dietary allowances recommended by the national research council shall be provided by serving two main meals and two snacks.

Food shall be provided by serving a substantial meal at a regularly scheduled meal hour and snacks at mid-morning and mid-afternoon. Children arriving before 8 a.m. who save had no breakfast at home shall be served breakfast soon after they arrive.

. . . Special diets shall be prescribed by a licensed physician; this order shall be signed, dated and written for a specific child.

If formulas are prepared in the center, this shall be at a time when there are no other kitchen activities. If formulas for ten (10) infants or more are prepared at the center there shall be a special formula room. A statement, in writing, from the parent shall be obtained showing the amount of each ingredient until the time the child is ready for whole milk. The terminal heating method of formula preparation shall be used where day care operators prepare the formula. Bottles must be individually labelled for each child. . .

Nonprofit Centers

The center shall comply with state and local sanitation, zoning, fire and other ordinances as certified by a written statement from the appropriate agency.

The plumbing shall be safe and in compliance with the city ordinance.

The water supply shall be obtained from the public water system if available, otherwise from a source or system meeting State Department of Health standards.

Drinking fountains, if used, shall be of a type approved by the State Department of Health.

Toilets shall be of the flush type unless the day care center is located in a rural area, where water under pressure is not available in which case toilets provided must comply with the State Department of Health Standards.

There shall be adequate and sanitary sewage disposal through connection to the public sewer system. If there is no public sewer system available, the method of sewage disposal shall be determined by the State Department of Health.

Lavatories may be supplemented with wash basins. When wash basins are used, they shall be disinfected according to the methods prescribed by the local health department.

Flush type toilets may be supplemented with pots. When pots are used, they shall be disinfected after each using according to the method prescribed by the local health department.

Any toys or equipment used by a child excluded (i.e., isolated) from the group because of suspected communicable disease or illness must be thoroughly cleaned before being used by any other child. The method of cleansing these toys must be satisfactory to the local health department.

Grade A pasteurized milk shall be served to the children unless permission is given by the local health department to serve other grades.

The method of home pasteurization prescribed by the local health department should be used if pasteurized milk is not available in the community.

Home milk supplies must meet local health department standards.

It is recommended that only those foods be used which comply with the provisions of the Texas Food and Drug Law and Sanitary Regulations requiring the proper protection of food stuffs from contamination, and that meat be used only from properly inspected plants.

The licensee shall immediately report to the State Department of Public Welfare any change in the condition of the day care center which might in any way, positively or adversely, affect the welfare of the children boarding in the day care center. Examples of reportable changes include modifications in the housing. . . If additional room or other changes warrant an increase in the license, the licensee shall request the State Department of Public Welfare to increae the authorized number of children which may be boarded in the home.

Health and sanitary inspection and fire inspection shall be made annually.

The day care center shall be inspected and approved by a duly authorized representative of the State Department of Public Welfare prior to accepting children for care and issuance of a license. The State Department of Public Welfare shall have the authority to visit and inspect the day care center at all reasonable times, to ascertain if it is being conducted in conformity with the law or if any conditions exist which need correction. . .

When children under 2 are cared for upstairs, a gate shall be provided at the head of each flight of stairs to which these children have access or at each hall door.

Each center shall provide a minimum of indoor play space of 35 sq. feet per child in rooms other than kitchen, bathrooms and rooms not available to the children for play purposes and sufficient outdoor play space to provide outdoor play for each child during the day. The outdoor play area shall be enclosed by a fence.

Rooms used by the children shall be adequately ventilated, the heat in the winter months to be controlled by a room thermometer. 68 to 72 degrees Fahrenheit is recommended for sleeping rooms; 68 to 80 degrees Fahrenheit for other rooms.

Window space and artificial lighting shall be sufficient to prevent eyestrain.

All rooms shall be adequately lighted. The number of foot candles of light in each room should be measured by a light meter. The recommended standards are:

> A minimum of 15 foot candles in rooms where children engage in close activity. 30 foot candles is recommended for close activity.
>
> 9 foot candles of light shall be maintained for all stairways.
>
> A minimum of 10 foot candles for the kitchen. 20 to 30 foot candles is recommended for the kitchen.

There should be one lavatory to every ten children. There should be at least one shower or bath tub. There should be one toilet to every ten children.

Individual cots shall be provided so that the children may observe rest periods. Individual sheets shall be provided if beds are used.

Space must be available in the day care center where any child showing signs and symptoms or suspected communicable disease or any illness can be completely segregated from the other children.

. . . Children over two years. . . should be served at least one substantial meal during an eight-hour day and a mid-morning and mid-afternoon snack.

1971 Standards

A day care center shall comply with all applicable fire health and safety laws, ordinances and regulations.

There shall be one Underwriters Laboratories (UL) approved 5 lb. Co$_2$ fire extinguisher in each kitchen and one (UL) approved 2 1/2 gal. water type fire extinguisher for each 2000 square feet of floor space or fraction thereof.

The person(s) legally responsible for the day care center, or his representative, shall notify the State Department of Public Welfare in writing in advance of any addition to or reduction of indoor or outdoor space.

Application for a license to operate a commercial or non-profit day care center shall be made to the State Department of Public Welfare. A study will be made by a representative of the Department and when requirements are met, a license will be issued. A representative of the State Department of Public Welfare will visit each day care center periodically and may make a complete study at any time if indicated. A Department representative will also revalidate the license to assure continual compliance.

The day care center shall provide at least 35 square feet of indoor play space for each child present at the center. This space shall:

> Be measured wall-to-wall using inside dimensions of rooms used for play.
>
> Be exclusive of kitchen, toilet rooms, office, halls, stairways, storage areas, adult furniture, outdoor equipment stored inside, and any areas not available to the children for play

The day care center shall have an outdoor play area which directly adjoins the indoor facilities, or which can be reached by a safe route or method approved by the State Department of Public Welfare. The number of children in the yard shall not exceed the ratio of one child per 80 square feet of usable yard space. The outdoor play area shall be fully enclosed by a fence or the outer wall of a building. The fence shall:

Be at least four feet high,

Be without sharp points,

Deter children from leaving the play yard.

The gates shall be:

At least four feet high,

Fastened.

Each group of children shall have a separate indoor play area.

Infants shall receive care in rooms and outdoor play areas separate from the other children in the center.

All rooms shall be adequately ventilated as evidenced by the absence of objectionable levels of odor, heat, and humidity.

When the temperature falls below 68°F, the indoor areas used by children shall be heated so that a temperature of 68° to 72° is maintained for sleeping and 68° to 80° is maintained for the remainder of the time.

In all rooms used by the children, there shall be sufficient light, controlled to limit glare.

Bathrooms used by children shall be located inside the day care center.

One lavatory with running water shall be provided for:

The first 10 children or fraction thereof,

The second 10 children or fraction thereof,

Each additional 15 children or fraction thereof.

One flush toilet shall be provided for:

The first 10 children or fraction thereof,

The second 10 children or fraction thereof,

Each additional 15 children or fraction thereof.

(Potty chairs may be used by children under three years, but are not to be counted as toilets in the child-toilet ratio. Children using potty chairs are to be counted in the child-toilet ratio). Potty chairs shall not be used by children over three years of age.

The day care center shall have a telephone (not a pay telephone).

Pets on the premises of the day care center shall be free from disease and immunized against rabies if appropriate. Where a threat of harm to the children exists because of the nature of the species of an animal or previous acts of an animal, it shall be inaccessible to the children.

An individual cot or bed shall be provided for each preschool age child. Each infant shall have an individual crib or baby bed, provided with a water proof mattress covered by a crib sheet.

When an apparently ill child is observed in the day care center, he shall be provided with a bed or a cot isolated from the other children. . .

A child in the day care center for five to eight hours during the day shall be served one-third of his daily food needs.

A child in the day care center for eight hours or longer shall be served one-half to two-thirds of his daily food needs.

A hot main dish shall be served no less than four times a week.

Regular meals and mid-morning and mid-afternoon snacks shall be served to the children. There shall be no more than 4 nor less than 2 hours between food services.

The infant's diet shall be provided according to a written, dated and signed plan submitted by the parent.

If it is necessary to prepare formulas at the day care center, each formula shall be prepared in accord with the parent's or guardian's written, dated and signed statement specifying the ingredients for the formula.

6. Special Notes

Commercial Centers

If transportation is provided by the center, adequate liability insurance shall be carried.

Nonprofit Centers

When a new day care center is being organized, it is the responsibility of its sponsors to show that there is a community need for the intended services which is not met by existing approved centers.

The nonprofit day care center shall have a responsible governing body which shall be one of the following:

A board of local citizens elected or appointed for that purpose,

A religious or charitable organization such as a church, religious order, lodge, veterans' organization, etc.

A public authority.

Both Commercial and Nonprofit Centers

A license remains in force, as long as the facility meets the minimum standards, until it is suspended or revoked, or the program closes operation, temporarily or permanently.

7. Political Subdivisions with Separate Licensing Regulations

Austin - Austin City Code, Chapter 41, Ordinance #660616-B, Kindergartens and Child-Caring Facilities.

For information relating to child care ordinances in effect in other local jurisdictions it is recommended that the appropriate DPW Regional Administrator or Social Services Director be contacted. The names and addresses of these officials in the 16 DPW Regions may be obtained from the State Department of Public Welfare in Austin.

UTAH

1. Licensing Agency and Contact.

Division of Children's Services
Department of Public Welfare
421 State Capitol
Salt Lake City, Utah

Mr. Stuart C. Smith
Day Care and Licensing Specialist

2. Legal Reference.

Utah Code Annotated 1953, Sections 55-9-1 - 55-9-4.

Day Care Standards and Procedures for Licensing Centers Caring for Groups of Children, (DPW), 1968.

. . . No day nursery, person, association, corporation, institution, or agency shall provide care and supervision for three or more children under fourteen years of age in lieu of care and supervision ordinarily provided by parents in their own homes, for periods of more than four but less than 24 hours in any one day, with or without charge, without having in full force a license issued by or under the authority of the division of family services . . . Excluded from the licensing provisions is care given to children by or in the homes of parents, legal guardians, grandparents, brothers, sisters, uncles or aunts, or as part of the program of an educational institution regulated by the boards of education of the state, or as part of the program of a parochial educational institution.

The Standards apply to day care centers established to care for children 2 to 14 years in a group of seven or more who are under care for more than four hours and less than twenty-four hours in any one day.

3. Children Eligible, Adult/Child Ratios and Group Size

In general, group day care is appropriate for children between the ages of three to twelve years.

Children between two and three years of age should be accepted only under careful considered circumstances. These include the child's readiness to be separated from his parents for the prolonged period of the day. The greater emotional and physical helplessness and vulnerability of the child under three require more extensive and detailed planning for program and facilities and special selection and greater number of staff. This makes such care more expensive; unless it can be provided adequately, the experience will be detrimental and hazardous to children.

Children under two years of age shall not be accepted for care.

Any child accepted for care must present, at the time of admission, a statement from a licensed physician, certify-that such child was examined and is free from any communicable disease or from any physical or mental handicap which will interfere with his acceptance for day care. Such examination shall have been performed within three days prior to admission. Any health problem (i.e. heart disease, orthopedic defect, allergy, etc.) which in any way may affect the child's care should be stated clearly on the medical certificate.

All children should be vaccinated against smallpox and immunized against diphtheria, whooping cough, polio, and against other diseases as recommended by the family physician.

There shall be at least one teacher for each:

(a) Ten children, two years of age;
(b) Fifteen children, three and four years of age;
(c) Twenty children between five and six years of age; and
(d) Twenty-five children between seven and fifteen years of age. (sic)

When there are insufficient children enrolled to make the above groupings and it is necessary to combine children of various ages, groups may be formed as indicated below, with a teacher for each group.

Children should be grouped according to age and maturity. Experience has proven that the following grouping of children is most beneficial to a child's development and growth:

Not over 10 children, 2 up to 3 years of age in any one group
Not over 10-15 children, 3 up to 4 years of age in any one group
Not over 15-20 children, 4 up to 5 years of age in any one group
Not over 20-25 children, 6 up to 8 years of age in any one group
Not over 20-25 children, 8 up to 12 years of age in any one group

It may be necessary, in the smaller centers, to combine some of these groups because of the range in the ages of the children enrolled. When any of the above groups are combined, the age of the youngest child in the groups should determine the number of children to include in the group. For example, if it is necessary to combine a group of two and three-year olds, then the total of the group should not exceed ten. Likewise, if a group of three and four-year olds is combined, then the total number in the group should not exceed fifteen. This same plan would apply to the combining of any of the other age groups.

In any group day care center there shall be a minimum of two adults, no matter how small, (sic) to ensure that the children are never left without supervision and that emergencies may be handled adequately.

Licensed centers will not be permitted to take "drop-ins" on an hourly basis. A "drop-in" is defined as a child who is not in regular attendance at least one day per week, who does not have a current medical and day care register form on file.

4. Professional and Other Qualifications for Staff

The licensee, or a qualified person designated by the licensee to be responsible for the operation of the center, must be present in the center at all times it is open.

Qualifications for the director and assistants who care for children include:

> A reasonable knowledge of the growth and development of children, and of their physical and emotional needs, and of approved methods of handling such occurrences as aggressiveness, withdrawal, temper tantrums, etc., such as might be obtained by a reasonably careful study of such standard publications as published by the United States Children's Bureau, (e.g., The Child from One to Six.)

The director or person in charge must furnish three references regarding their character and ability for such work.

There must be enough individuals, in addition to the teachers, to maintain cleanliness, to keep the plant in a safe and sanitary condition and to do the cooking. Cooks must be able to plan good food service, which includes wise selection of food, planning of good menus, resulting in the serving of well-prepared, tasty, and attractive meals suitable for children.

Centers with fifteen or fewer children may not be required to have additional staff for cooking and housekeeping, provided that the two persons already in the center can adequately supervise the children and perform these other services. The licensing agency shall be the sole judge of this.

Each person caring for the children, preparing the food, or otherwise coming in contact with the children must be of sound physical and mental health, evidenced by certification of a licensed physician according to standards approved by the State Department of Health. Medical examination shall be obtained by a staff member prior to commencing work and not less than once a year thereafter. Persons may be asked to sign a statement authorizing the Welfare Department or its representative to obtain additional information from the examining doctor.

5. Facilities

Each day care center is responsible to investigate and conform to state laws and regulations and local ordinances regarding housing, zoning, sanitation, fire precautions, water supply, etc.

Day care centers must comply with all local ordinances pertaining to the operation of day care centers before a license will be issued by the State Department of Public Welfare.

Regulations on "Food Services" in nursing homes established by the State Division of Health shall also apply to Day Care Centers. These regulations require that:

> Any and all milk, market milk products, ice cream, and other frozen desserts intended for children's consumption shall be obtained only from sources and of a quality approved by the State Department of Agriculture.
>
> Any and all meat products and canned foods intended for child consumption shall be obtained only from sources approved by the Utah State Department of Agriculture.

Local fire departments and the State Health Department will assist in making these (i.e., housing, fire) inspections. The State Health Department may work in cooperation with local health departments in making inspection of sanitation facilities.

A thorough investigation of the application shall be made securing the information necessary to granting or denying the license.

The Division of Welfare will assign the application for investigation to a member of the State staff or to the local county department of welfare in the county which the applicant intends to operate the day care center.

The department making the investigation shall be responsible for writing to the Division of Health requesting an inspec- of the sanitary conditions and standards relating to food.

In communities where there is a city ordinance regarding sanitary and health conditions of a day care center, requests for inspection will be sent to the Division of Health. They will be responsible in working out cooperative procedure with the local health departments and will either make the inspection or obtain a copy of report of inspection made by the local health department and forward to the county welfare department who requested the inspection.

The agency making the investigation shall request the local fire department to make an inspection.

In communities with a local ordinance requiring a license to operate a day care center, the department making the investigation shall be responsible to verify if a local license has been issued.

Licensed day care centers will be under supervision and subject to inspection at any time by representatives of the State Department of Public Welfare and agencies cooperating in the licensing, such as the Health Department and the Fire Department. . . The State or the county, whichever made the investigation, shall be responsible for determining if the care provided is in compliance with the standards. . .

First floor space is best. Upper floors may be used only when fire and safety regulations are met. Children under four years of age must be kept only on the first floor. A basement may be used only if it is well ventilated, dry, and properly lighted.

There shall be a minimum of thirty-five square feet of play space for each child, excluding halls, stairs, bathroom and kitchen. The play area must be clear of adult furniture.

There shall be a minimum of forty square feet of outside play space for each child. All outdoor play areas should be easily accessible to the indoor facilities and must be completely enclosed with a secure fence.

If it is not possible to furnish separate playrooms for each group, a single room used should be divided by screens so that the youngest children will not be in constant contact with four and five-year olds. Separate space on playground is also desirable.

Heating, ventilation, and lighting facilities should be adequate to protect the health of the children. A comfortable temperature should be maintained in all rooms occupied by the children. Thermometers shall be at child's level, 24 inches from the floor, and the temperature maintained around 70 degrees.

Window space shall equal at least ten per cent of the floor area; windows should have adjustable shades, artificial light providing at least 20 foot candle power should be available.

There shall be one permanent toilet and one permanent wash basin for every ten children or portion thereof. Where a two-year-old group of children receives care, one portable chair toilet and one portable wash basin may be substituted for permanent fixtures for the group.

Children must have individual cots or beds for rest periods . . . Each bed shall have clean adequate bedding, and for bed wetters rubber sheets or satisfactory substitute must be provided. Beds used by members of the household must not be used by children for rest periods.

No bunk beds with more than two tiers shall be used under any circumstances for the care of children, and children under eight years of age may occupy only a lower bunk. In general, the use of bunk beds is considered inadvisable for safety, convenience, and health reasons.

Space for the isolation of a child who is ill or suspected of coming down with a communicable disease shall be provided near enough to the office or playroom so that the child will be within sight of a staff member and will not feel he is being left alone.

The center shall provide a noon-day meal. Also mid-morning and mid-afternoon supplements which should provide at least one-third of the day's food requirements. Nutritious foods to meet the needs of individual children should be wisely selected and prepared to be tasty, attractive, and retain nutritional values. Only pasteurized milk shall be used.

6. Special Notes

In religious training, the day care center staff must respect the belief of the parents and be observant of the child's training as to holidays, church attendance, diet, etc.

If the center provides pickup and delivery service, it is recommended that any vehicle used for transportation be covered by adequate passenger liability insurance.

If a center complies with all the standards with the exception of some minor aspect of one of the standards which does not adversely affect the care children may receive, the Department of Public Welfare may issue a license.

7. Political Subdivisions with Separate Licensing Regulations

VERMONT

1. Licensing Agency and Contact

Vermont State Office of Economic Opportunity
Montpelier, Vermont

Day Care Operations Unit

2. Legal Reference

Vermont Statutes Annotated, Title 33, Sections 2752, 2852, 2583.

Minimum Rules and Regulations for Day Care Centers (issued by Vermont Department of Social Welfare) [1970] [Proposed]

A day care facility is any place operated as a business or service on a regular or continuous basis, whether for compensation or not, whose primary function is protection, care and supervision of children under sixteen years of age outside their homes for periods of less than twenty-four hours a day by a person other than a child's own parent, guardian or relative. (This provision includes private kindergartens and nursery schools not under the supervision of the Department of Education.)

The day care center serves groups of twelve or more children. It utilizes subgroupings on the basis of age and special need but provides opportunity for the experiences and learning that accompanies a mixing of ages. Day care centers should not accept children under three years of age unless the care available approximates the mothering in the family home. Centers do not usually attempt to simulate family living. Centers may be established in a variety of places: private dwellings, schools, churches, social centers, public housing units, specially constructed facilities, etc.

The following persons are exempted from licensing provisions relating to day care facilities:

(1) A person providing care for children of not more than two families other than that of the person providing the care.

(2) A hospital or establishment holding a license issued by the department of health, or a person operating a program primarily for recreational or therapeutic purposes, unless the hospital, establishment or person provides services for the care, protection and supervision of children not incidental to its primary purpose in which case subsection (a) shall apply to those non-incidental additional services.

(3) Day care facilities operated by religious organizations for the care and supervision of children during or in connection with religious services or church sponsored activities.

(4) Preschool establishments, attended by children of less than compulsory school age, that are under the supervision of the department of education.

The proposed Minimum Rules referenced above include both State required and Federal Interagency required standards. All facilities, other than those exemptions noted above, must meet the Vermont licensing requirements in order to operate legally.

Both Vermont and Federal Interagency Requirements must be met by all day care facilities receiving federal funds under any of the following programs:

1. Title IV of the Social Security Act
    a. Part A - ANFC
    b. Part B - Child Welfare Services
2. Title I of the Economic Opportunity Act - Youth Program
3. Title II of the Economic Opportunity Act - Urban and Rural Community Action Programs
4. Title II of the Economic Opportunity Act - Part B - migrants and other seasonally employed.
5. Title V of the Economic Opportunity Act - Part B - Day Care Projects

Where the administering agency contracts for services with private individuals, or proprietary day care it must be sure that these are licensed facilities which meet Federal Interagency Requirements.

Since September 1, 1970 the Vermont State Office of Economic Opportunity, Day Care Operations Unit has had responsibility for day care licensing. Licensing responsibility was first acquired by the SOEO under contract with the State Department of Social Welfare, later by transferral through gubernatorial executive order.

(The summary below reflects only the proposed Vermont State requirements.)

3. Children Eligible, Adult/Child Ratios and Group Size

Prior to admission a physician must sign a written statement that child is free from communicable diseases, or the medical history must be taken by an R.N. or a P.H.N. . .

When child enters day care, a comprehensive health evaluation by the family's physician or the staff physician should be provided within a month.

The administering or operating agency must ensure that each child has had all immunizations appropriate to his age. If this has not been done prior to entering day care, operator should work with parents toward getting this accomplished.

There must be 2 adults on duty at all times for the first group of 12 pre-school children except during brief periods of rest and relief.

For each additional group of 9 pre-school children, one additional staff member is required. In no event should the ratio of child to staff exceed 8 to 1.

It is not recommended that children 2 years old or under be cared for in a center. If there are some this age, there must be one adult for every two infants.

If after-school care is given which increases the number of children, the licensing authority shall determine whether additional part-time help is needed.

4. Professional and Other Qualifications for Staff

The director must have had a satisfactory combination of training and/or experience relating to children. Acceptable experience consists of a minimum of one year of experience with groups of children, preferably preschool. The suitability of the Director must be attested to by reliable and satisfactory references.

Directors should attend and allow staff to attend any available workshops or in-service training meetings available in their locality which they think would upgrade their skills in working with children.

The director shall be responsible for having competent staff who have acquired sufficient knowledge of ear childhood development and developed skills in working with children through formal training and/or work experience.

Regular staff who assume major responsibilities must be at least eighteen years old.

Aides under eighteen years may assist under supervision.

All staff must have an annual physical examination, or a written statement from their family doctor stating they are in good physical and emotional health. This must include a T.B. patch test or an x-ray.

Consultation should be available from a qualified nutritionist or food service specialist.

5. Facilities

Each Center shall conform in sanitary and safety requirements to local legal ordinances and regulations. In questionable cases, as determined by the licensing agency representative, the advice of a local fire chief or a health official may be required. If neither is available the State Fire Marshal and State Department of Health may be consulted.

Heating equipment shall be in good condition and vented and shall comply with state or local regulations.

Basement are not recommended but if used must be free from dampness, have adequate lighting, heating, ventilation, window space and quick, easy means of exit in case of an emergency. Unfinished attic rooms are not accepted.

Indoor space must be provided in a well-ventilated room with light and sufficient window space to afford sunlight. Play space should be at least 25 square feet per child.

There must be provision for an outdoor play area which provides a safe and adequate space for the children (minimum of 75 square feet per child recommended). The play area must be protected from traffic or other hazards in a manner safe for children. This protection may be a fence or a natural barrier.

The bathroom shall be adequate and easily accessible. One toilet for every twenty children.

Advance planning must be made for the care of a child who may become injured or ill, including supervised isolation and immediate notification of parents.

The facility must provide adequate and nutritious meals and snacks prepared in a safe and sanitary manner. Special diet . . . shall be given to the child only on written permission of the parent or guardian.

6. Special Notes

Each center shall carry liability insurance for its own protection.

If transportation is provided for children, automobile insurance with special passenger-carrying permit at limits of bodily injury liability of not less than $50,000/$100,000 and property damage liability of $10,000 must be carried.

When center is community or agency operated, the governing board has the responsibility of planning and providing services.

"Special License" may be issued to permit certain exception when it is in the best interests of the children.

7. Political Subdivisions with Separate Licensing Regulations

VIRGINIA

1. Licensing Agency and Contact

Commonwealth of Virginia
Department of Welfare and Institutions
Welfare and Institutions Building
429 South Belvidere Street
Richmond, Virginia 23220

Mrs. Catherine Dewitt
Day Care Representative
Children Agencies Section

2. Legal Reference

Virginia Code of 1950, Sections 63.1-195 - 63.1-219.

Minimum Standards for Licensed Child Care Centers, (DWI), (adopted Sept. 12, 1967).

"Child care center" means any facility operated for the purpose of providing care, protection and guidance to a group of children separated from their parents or guardian during a part of the day only except (1) a facility required to be licensed as a summer camp . . . (2) a public school or bona fide educational institution; and (3) a school operated primarily for the educational instruction of children from three to five years of age at which children three or four years of age do not attend in excess of four hours per day and children five years of age do not attend in excess of six and one half hours per day. (Va. Code 1950 §63.1-195)

The Standards further define a child care center, oftentimes referred to as a day care center, day nursery or school, as a home or place wherein ten (10) or more children are provided care on a regular basis. Where group care is offered fewer than ten children in a facility other than a private family home, the child care center standards also apply.

"Child" means any natural person under 18 years of age.

The following institutions are construed to be within the definition of a child care center.

> The institution is not operated as a part of the program of a college, university, or public elementary or secondary school, or private school meeting the rules and regulations promulgated by the State Board of Education under the provisions of Section 22-115.33, Code of Virginia.

The institution does not qualify as a nursery school, that is a school which is primarily educational in nature which meets the needs of the child of three and/or four years and operates not in excess of four hours per day.

The institution does not qualify as a kindergarten, that is a school which is primarily educational in nature which meets the needs of the child of five years and operates not in excess of six and one-half hours per day.

3. Children Eligible, Adult/Child Ratios and Group Size

Before admission and annually, each child shall have had a physical examination and shall present a physician's certificate of freedom from communicable diseases. If any chronic conditions or defects are present, the record of examination should include recommended diet and/or treatment.

Each child admitted to the child care center shall have had a TB test and shall have been immunized against diphtheria, smallpox, whooping cough, polio, tetanus and measles (Rubeola). In the case of infants below two years of age, the medical statement referred to above shall include a statement from the physician as to the child's immunization status since the timing of immunizations for infants will be a determination of the child's physician.

There shall be competent and consistent supervision of all children. Due to the long hours of operation of the nursery and the necessity to stagger the staff hours, the ratio of the total (supervisory) staff computed on a full-time basis to the total number of children two years of age and older shall not be less than one to ten.

If children under two years of age are given care, there shall be at least one staff member on duty all the time for every three infants under two years of age, such staff to be assigned specifically to care for infants.

Service personnel are not to be included when considering the ratio of child care supervisors or teachers to the number of children enrolled, but may be used as emergency substitutes if their personal qualifications and duties permit.

Regardless of the number of children under care, a minimum of two responsible adults must be present at all times.

4. Professional and Other Qualifications for Staff

Director. There shall be one person in charge on the premises who shall be responsible for the administration of the program. It is essential that the director be a competent administrator with ability to establish and maintain good staff relationships. He must now have or acquire within a five year period of the effective date of these standards or within a five year period of the expiration date of the current license of the child care center which he is employed the equivalency of fifteen semester hours of college credits.

There shall also be one specifically designated assistant to function in the director's absence.

Child Care Supervisor or Teacher. The person employed in this capacity shall have or acquire within a five year period of the effective date of these standards or within a five year period of the expiration date of the license of the child care center in which he is employed a high school diploma.

Assistant Child Care Supervisor or Assistant Teacher. Assistants may work only under supervision of the director or a child care supervisor or teacher and should have the same personal and educational qualifications as set forth for the child care supervisor or teacher.

Assistants should be given the opportunity to participate in in-service training programs or institutes, workshops or conferences annually.

Service Personnel. Service personnel should be dependable and capable, have a suitable personality for working with children and provide responsible references.

The responsibility for preparation of meals must be carried specifically by a person employed as a cook or by some other staff member whose responsibilities in the preparation and serving of food will not interfere with the supervision of the children.

Maintenance staff--adequate maintenance help or janitorial service shall be provided to maintain the building and grounds in a safe and sanitary condition.

If volunteers are used, they should be carefully selected and their duties clearly defined.

Public health nurses should be used as resource persons when needed and available.

The child care center shall require of each employee and volunteer who comes in contact with the children and each staff person responsible for preparation and serving of food, a current medical certificate certifying as to his or her good health and freedom from communicable disease based on an examination by a licensed physician, including a chest x-ray and serological test for syphilis. The physician's statement must include whether the person is both physically and emotionally capable of caring for children. This statement must be required prior to the employment of the staff member and annually thereafter.

5. Facilities

The child care center must comply with local child care ordinances where such ordinances exist. Note of approval from the administrator of the local ordinance will constitute evidence of compliance.

All child care center buildings shall meet the requirements of the building codes of the community in which the child care center is located and state fire and sanitation codes when applicable.

The child care center must comply with recommendations of the local health department based upon an inspection and report as to the sanitary conditions in the child care center. The child care center building shall meet the requirements of sanitation codes when applicable. The equipment of the kitchen and refrigeration shall meet the requirements of the health department of the community in which the child care center is located.

Safeguards must be at hazardous windows, doors, stairways and openings such as walks and cellar and must be acceptable to existing fire and building codes.

Gas stoves, if used, must be approved by the fire official responsible for inspecting fire hazards.

Adequate lighting and ventilation shall be provided in each room at all times in conformity with state and local building codes.

If the water used is other than a public supply, it shall be approved. If drinking fountains are used, they shall be of the approved type.

For proposed new buildings or alteration of additions to existing occupancies evidence is required that plans and specifications for the work have been submitted to, reviewed by, and approved by the State Fire Marshal for compliance with the Virginia Fire Safety Regulations. A copy of the Fire Marshal's letter of approval will be considered as satisfactory evidence. With existing buildings, evidence will be required prior to licensure that the buildings or addition or alteration have been inspected to comply with the Virginia Fire Safety Regulations. The child care center must be free from fire hazards as determined through annual inspection, under usual circumstances, by the local fire safety inspection authorities.

Upon receipt of the application the Department will request an inspection and report as to sanitary conditions from the local health department. In order to determine compliance with State Fire Safety Regulations, the Department will request an inspection or a report of previous inspection by the office of the State Fire Marshal. Following these requests, a representative of the Department will make a study of the proposed services and facilities of the applicant. Health and fire inspections and reports will be requested by the Department prior to renewal of license, and the Department will make a study to determine continuing eligibility for license.

There shall be a minimum allowance of twenty square feet of indoor play space per child and two hundred cubic feet of air space.

A safe, sanitary, and adequate outdoor play area shall be available.

Where children from early infancy up to two years of age are provided care, separate rooms must be provided for those children walking or learning to walk and for those children who have not reached this stage of development. Children two years of age and over must be cared for in separate rooms from those below the age of two.

Where children under two years of age are cared for, adequate daylight is the preferable lighting. If artificial light is necessary, the lighting should be equal to ten foot candles of light. All working space and examining tables must be provided with one hundred foot candles of light.

All parts of the building used by the children shall be adequately heated. The heat must be evenly distributed at a temperature of between 68° and 72° Fahrenheit to be maintained in the children's room. Temperature shall be taken at one to two feet from the floor.

There shall be provided within the building at least one flush toilet and one sanitary wash basin for every fifteen children. . . If children under two are given care, adequate and appropriate toilet facilities should be provided. There must be at least one nursery chair for every five children who are being toilet trained or for whom toilet chairs are appropriate.

There shall be a minimum allowance of 200 cubic feet of air space per child. A separate crib, canvas cot, or slat bed shall be provided for each child and kept in a sanitary condition.

Provision shall be made for a separate room for isolation of children in case of illness.

Meals should include a morning snack (fruit or fruit juice with crackers), a hot lunch, and an afternoon snack (milk, fruit or fruit juice with crackers). Meals should be well balanced, attractive and served in a pleasant atmosphere The noon meal is the main meal of the day for the preschool child and should consist of:

a. Main dish of meat, eggs, cheese or fish

b. Green leafy or yellow vegetable

c. Another vegetable (potatoes approximately three times a week)

d. Milk

e. Enriched bread

f. Butter or margarine

g. Simple dessert, such as fruit or pudding

If infants are provided care, the formulas that are prepared by the child's mother must be clearly labeled with the child's full name and placed in the refrigerator immediately upon arrival at the center.

Medical directions for individually prescribed formulas to be prepared at the nursery must be secured from the parents, guardian, or agency and the formula must be given to the infant within thirty minutes after preparation.

6. Special Notes

A child care center sponsored by a corporation, a voluntary association or an agency shall be controlled by a responsible board of directors or trustees.

7. Political Subdivisions with Separate Licensing Regulations

For information regarding local ordinances relating to child care centers contact should be made with city management offices in the following Virginia localities:

Hampton
Newport News
Martinsville
Alexandria
Fairfax County
Arlington County

WASHINGTON

1. Licensing Agency and Contact

Washington Department of Social and Health Services
Division of Public Assistance
P. O. Box 1162
Olympia, Washington 98501

2. Legal Reference

Revised Code of Washington Annotated, Sections 74.15.010 et seq., 74.13.031.

Minimum Licensing Requirements for Day Care Centers (Washington Administrative Code, Chapter 388-66).

Summary of Minimum Licensing Requirements for Day Care Centers, (DPA), 1970.

"Day-care center" means an agency which regularly provides care for a group of children for periods of less than twenty-four hours. . .

Facilities which regularly provide care to a group of children during any part of the 24-hour day in a setting other than a family residence are required to be licensed in accord with the regulations governing operation of day care centers.

Exemptions from licensing requirements include:

(a) Nursery schools or kindergartens which are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

(b) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

(c) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

(d) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW; nursing homes licensed under chapter 18.51 RCW and boarding homes licensed under chapter 18.20 RCW;

(e) Facilities providing care to children for periods of less than twenty-four hours whose parents remain on the premises to participate in activities other than employment;

(f) Facilities approved and certified under RCW 72.33.810 (mentally and physically handicapped);

(g) Any agency having been in operation in this state ten years prior to June 8, 1967 and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund.

3. Children Eligible, Adult/Child Ratios and Group Size

Children under two and one-half years of age shall be accepted for care only with special permission of the department in special situations and in accordance with requirements as the department may prescribe.

A health history shall be obtained for each child upon admission. This shall include an immunization history and conditions of the child which may be adversely affected by the day care experience or which may have adverse effect upon other children. The immunization history shall include the approximate dates of each immunization and shall be brought up to date at least annually.

Immunizations appropriate to the age of the child, according to standards set by the American Academy of Pediatrics shall be completed or brought up to date at the direction of the parents or guardian. Medical contraindications (exemptions) to immunizations must be signed by a licensed physician. If parents object to immunization on religious grounds, the child's health record shall so indicate and this requirement shall be waived.

Health and immunization requirements are not applicable to children in hourly care.

There shall be a minimum ratio of one child care staff on duty for each group of 10 children or major portion (6 or more) of such number of children on the premises.

Whenever more than 10 children are on the premises, there shall be at least 2 staff members on duty.

An agency shall not provide intermittent hourly care and all-day care in the same facility, except with permission of the department. A child shall not remain in an hourly-care facility for more than four hours.

4. Professional and Other Qualifications for Staff

All staff and volunteers working with children shall be emotionally stable, mature persons of good character. They shall have the ability and personality suited to meeting the physical, mental, emotional and social needs of the children in care. An agency shall provide staff in accordance with the following requirements:

An executive who shall be responsible for the general management and supervision of the agency's program. The executive shall be at least 21 years of age. He or a member of the child-care staff shall have had a minimum of three years' experience in the group care of young children, such as experience in a day care center, kindergarten, Head Start Program, or similar experience. A Bachelor's degree in child development, preschool education, or related field may be substituted for required experience.

Child care staff whose primary duties shall be the care, supervision and guidance of children. Such persons shall be at least eighteen years of age. The executive and auxiliary staff may serve as child care staff when not involved in other duties and provided that the required ratio of child-care staff is maintained. Other staff sixteen to eighteen years of age may be employed part time if under the direct supervision of an adult.

Auxiliary staff sufficient to insure properly prepared meals and clean premises.

All persons, including volunteers, who are regularly in close contact with children shall be in good health and free from colds and other communicable diseases. They shall have a chest x-ray upon employment and every two years thereafter. Persons under 50 years of age may elect to have intradermal, intermediate PPD tuberculin skin test instead of an x-ray. However, if the tuberculin test is positive, biennial chest films shall be required.

5. Facilities

Facilities must comply with the State Fire Marshal's regulations for day care centers.

All food service facilities and practices shall be in compliance with Chapter 248.84 WAC, rules and regulations of the state board of health governing food service sanitation.

Water supply shall meet the standards of the state department of health.

Sewage and liquid wastes shall be discharged into a public sewage system or into an independent sewage system approved by the local health department.

All plumbing shall comply with the local plumbing code, or, if no such code exists, with the Uniform Plumbing Code of the Western Plumbing Officials Association.

Departmental staff will visit applicant's facilities and assist him in developing his program so as to meet licensing requirements. Prior to issuing a license, the department must have on file certificates of compliance from the office of the State Fire Marshal and from the State Department of Health indicating that fire protection requirements and health related requirements are met.

Centers are subject to periodic inspections by the Department and by health and fire safety officials.

The State Fire Marshal's day care center regulations provide that any building used for school or day care purposes, and/or used for kindergarten, first or second grade children, shall not be located above the first story above grade, unless it is of Type I (concrete-incombustible) construction or is a building equipped throughout with a standard automatic sprinkler system.

The play area and the napping area shall allow a minimum of thirty-five square feet per child.

There shall be a safe outdoor play area providing a minimum of seventy-five square feet per child. If programming is such that only a portion of the group uses the playground at one time, the size may be reduced correspondingly. This provision is not applicable to hourly care.

Room temperatures shall be maintained from 68°F to 74°F while children are under care.

Lighting intensity shall be at least fifteen foot-candles for all rooms and areas except classrooms and reading areas which shall be thirty foot-candles.

There shall be a ratio of one indoor flush-type toilet and one lavatory with hot and cold running water for every fifteen children and staff members or major portion (eight or more) of such number. There shall be a minimum of two toilet and lavatory facilities for each agency. Hot water at lavatories shall not exceed 110°F.

Whenever urinals are provided for males, one water closet less than the number specified may be provided for each urinal installed except that the number of water closets in such cases shall not be reduced to less than two thirds of the minimum specified.

There shall be at least one telephone accessible from all parts of the building(s).

A separate, firm, clean, properly protected, bed, cot or crib of sufficient size and clean bedding shall be provided for each child requiring naps or rest periods. Bedding shall include an easily laundered sheet or blanket to cover the surface of the cot and a suitable covering for the child. In agencies providing day care for a limited period during the summer only, plastic covered mats may be substituted for cots on approval of the department of health.

A separate room or segregated area shall be designated for the care of a child who needs to be separated from the group temporarily because of injury, illness, or the need for additional rest. The room must be so located that the child can be supervised. Toilet and lavatory facilities must be readily available.

A substantial lunch and midmorning and midafternoon snack shall be served. The "Dietary Allowances of the Food and Nutrition Board, National Research Council" shall be used as a guide to meet the child's nutritional needs. . . Children admitted before 7:00 a.m., or remaining after 6:00 p.m., shall also be served breakfast and a substantial evening meal if not provided by parents. Nutrient concentrates and supplements and modified diets (therapeutic, special) shall not be served except in accord with provisions relating to medication. The foregoing nutrition requirements are not applicable to hourly care.

6. Special Notes

7. Political Subdivisions with Separate Licensing Regulations

WEST VIRGINIA

1. Licensing Agency and Contact

Division of Social Services
West Virginia Department of Welfare
Charleston, West Virginia 25305

2. Legal Reference

West Virginia Code 1966, Sections 49-1-1 et seq., 49-2-3 et seq.

Standards and Licensing Requirements for Day Care Centers, (DW), 1965.

"Child welfare agency" means any agency or institution maintained by a municipality or county, or any agency or institution maintained by a person, firm, corporation, association or organization to receive children for care and maintenance or for placement in a family home, or day care center or any institution that provides care for unmarried mothers and their children, but shall not include county shelters established and maintained for the detention of delinquent children or those charged with delinquency.

A day care center, sometimes called a day nursery, has been defined by the West Virginia Department of Welfare as a facility which has as its primary purpose the care and protection of six or more children over two years of age serviced for part of a day away from their parents in a group setting. Increasingly three years is accepted as the minimum age for such group care. A day care center provides a well planned program of stimulating activities for the children or special training programs for the mentally retarded or physically or emotionally handicapped children.

3. Children Eligible, Adult/Child Ratios and Group Size

Each child must have a statement from a physician based on an examination given prior to admission or a re-examination after a three months absence.

The examination report should include health history, a physical examination, and an evaluative statement from the physician including immunizations needed. Day Care centers should require immunization of children against diseases such as smallpox, D.P.T. (Diphtheria, Pertussis, Tetanus), polio and perhaps measles and mumps.

The number of children to be cared for depends upon the adequacy of the facility, space, equipment, program, and especially the quality and number of staff.

There must be one person for every eight children under three years of age and one person for every ten children three to six years of age and one person for every twelve to fifteen children of school age.

Agencies large enough to group children by age grouping may use the following staff member-child ratio as a maximum:

2 - 3 years old - 1 adult to 8 children
3 - 4 years old - 1 adult to 10 children
4 - 5 years old - 1 adult to 15 children
5 - 6 years old - 1 adult to 18 children
6 - School Age - 1 adult to 20 children

Staff working directly with children should not have the responsibility of the cooking or cleaning.

It is desirable that there be at least two adult staff members at the center working with the children regardless of the number of children in attendance.

When children are accepted for after school care in a day care center and the total number of children then exceeds that for which the regular staff can give care according to the prescribed standards, an additional staff person must be employed for the school age group, with one person responsible for a maximum of twenty children of school age. If the facility accepts only school age children, the prescribed standards for staff apply in all respects except that each staff person may be responsible for a maximum of twenty children. A minimum of two responsible adults must be available at all times.

4. Professional and Other Qualifications for Staff

The director must be a warm and understanding person who knows the needs of young children, at least twenty-one years of age, mature and competent as an administrator. The director should have had experience with pre-school children and must have a high school education. Directors without a high school education employed in agencies licensed prior to January 1, 1966, will meet acceptable educational requirements. It is desirable that directors attend courses and workshops in pre-school education and child development sponsored by colleges, universities, West Virginia Department of Welfare or other organizations.

All regular staff must be at least eighteen years of age. Part-time staff under eighteen years of age with work permits may be used as aides for staff members, but not left alone with children without adult supervision. Staff members must have a capacity for enjoying children, ability to accept violently expressed emotional feelings without being unduly upset, dependability, and have the ability to handle emergency situations intelligently and quickly.

Preferably, there should be staff specially employed to care for children under three years of age if there are more than two or three children under three years of age.

When possible, a professionally trained caseworker shall be employed by the center, otherwise such services might be secured from other local agencies.

All staff members must submit, when employed and once a year thereafter, a physician's statement based on a recent physical examination that they are free from illness or health conditions which might be detrimental to a child's health. This must include a report of a chest x-ray and laboratory findings when prescribed by the physician.

Public Health Nurses may be used as a resource when available in the local county health department to review and advise on the health program and services.

5. Facilities

Day care centers must meet local and state fire regulations, sanitation regulations, zoning and other ordinances.

All state and local health regulations must be followed in regard to sanitation and diseases.

The toilets and bathing facilities and their use must be approved by the appropriate health department.

Plans for new buildings, additions, or remodeling must be approved by the State Fire Marshal and the State Health Department before construction is undertaken.

Whenever a center. . . builds new buildings, the State Licensing Board must be notified.

Before issuing licenses the licensing board shall investigate the activities and standards of care of the applicant. If satisfied as to the need for the agency, as to financial stability, equipment, good character and intent of the applicant, and that the services are conducive to the welfare of children, a license shall be issued. . .

The premises and building must be inspected at least once a year preferably by the county health department and certified as meeting sanitation standards.

A fire inspection report by the State Fire Marshal's office and a health inspection report by the West Virginia Department of Health must accompany both the application for initial license and subsequent applications for renewal.

First floor rooms with low outside windows allowing the children to look outside are preferable for day care programs.

The indoor playspace used by the children for play, eating and sleeping, must include 35 square feet of floor space for each child exclusive of hallways, lockers, laundry, furnace rooms, and that part of the kitchen occupied by stationary equipment.

Outdoor area must provide 100 square feet of safe play space and free from debris such as glass, etc., for each child for both active and safe play. Outdoor play area must be enclosed (fence or wall-nonclimbable) in such a way as to prevent the children from leaving the premises without proper supervision.

Children of different age groups should have separate playrooms. Each group area should have its own toilets, sleeping facilities, and dining equipment.

Playrooms must have exposure to sunlight from one or more sides, and have adequate ventilation, lighting, and proper heating.

There must be one basin and one water waste carriage toilet for every ten children.

There must be individual sheets, blankets and cots for each child, to be used only by that child.

A sick child must be isolated immediately from the group until arrangements can be made for his care away from the center.

Children must be served a regular hot meal supplying one-third of their daily food needs if their attendance covers more than four hours at the center each day. In the full day program, a morning snack must be served pre-school children, also a hot lunch and an afternoon snack.

6. Special Notes

There must be insurance to protect the child and the operator in case of accident.

If the owner of an independent day care center resides outside the geographical boundaries of West Virginia, he must delegate to the director of his day care center, in writing, the responsibility for complete operation and responsibility for the center. A copy of such an agreement must be presented to the State Licensing Board at the time of application for a license is made.

The day care center may be a voluntary welfare agency, operated as a community service, sponsored by a public authority, church, United Fund, civic group, or a private group of individuals. Also applicable to any voluntary welfare agency are provisions relating to articles of incorporation:

> A child welfare agency shall not be incorporated in this State unless the articles of incorporation have first been examined and approved by the state department (Department of Welfare). Proposed amendments to such articles of incorporation shall likewise be subject to the examination and approval of the state department.

7. Political Subdivisions with Separate Licensing Regulations

1. Licensing Agency and Contact.

Division of Family Services
Department of Health and Social Services
State of Wisconsin
1206 Northport Drive
Madison, Wisconsin 53704

Mr. Ernest R. Johnson, Chief
Voluntary Agency Section
Division of Family Services.

2. Legal Reference.

Wisconsin Statutes Annotated, Section 48.65 et seq.

Rules for Licensing Day Care Centers for Children, (DHSS), 1971.

Day care center means a licensed facility where a person or persons provide, for compensation and/or consideration for service, group care for 4 or more children under 7 years of age, for less than 24 hours a day. A day care center may be licensed as:

(a) A day nursery, which must meet all the rules for licensing day care centers, or as

(b) A nursery school, which must meet the requirements for day nurseries and in addition, for each 23 children, must have at least 1 staff member certified as a nursery school teacher by the Department of Public Instruction or a staff member who shows evidence of meeting the qualifications required for such certification.

Exemptions from State licensing requirements

(a) A relative or guardian of a child who provides care and supervision for the child; or

(b) A public or parochial school, or the Young Men's Christian Association; or

(c) A person employed to come to the home of the child's parent or guardian for less than 24 hours a day.

(Rules and standards for day care centers in effect during the period covered by DCS '70 were superseded by revised Rules approved June 24, 1970 to become effective March 1971. The summary below is based upon the 1971 Rules.)

3. Children Eligible, Adult/Child Ratios and Group Size

A child under 2 years of age shall be enrolled only in a day care center where there are no more than 8 children in the group.

Each child shall have a physical examination by a licensed physician not more than 90 days prior to nor later than 30 days after admission to the day care center and annually thereafter. The examination requirements include:

1. A health record which states that the child has been or is being immunized against diphtheria, whooping cough, tetanus, poliomyelitis, mumps, measles (rubeola), German measles (rubella), and vaccinated for smallpox and the approximate dates.

2. Necessary booster shots shall be administered to children in care at time intervals recommended by the American Academy of Pediatrics or the division of health.

3. A record of tuberculin testing, the name of the test used, date and the result of the test.

4. Immunization and tuberculin testing not permitted by the child's physician shall be so stated, dated and signed by a licensed physician.

5. In addition each child under 24 months of age shall be given a medical examination by a licensed physician every 6 months after admission

The maximum number of children in a group and the ratio of staff to children shall not exceed:

Age	Maximum number of children in a group	Minimum number of staff to children
Infant to 1 year	6	1 to 3
1 to 2 years	8	1 to 4
2 to 2 1/2 years	12	1 to 6
2 1/2 to 3 years	16	1 to 8
3 to 4 years	20	1 to 10
4 to 5 years	24	1 to 12
5 years and older	32	1 to 16

When there is a mixed age group, the adult/child ratio shall be adjusted on a pro-rata basis according to age.

In a day care center with 9 or more children present, there shall be at least 2 adults available at all times in the building.

In the day care center for 8 or less children, there shall be a second adult who meets the qualifications available within 5 minutes. There shall be a signed statement on file at the center certifying to the second person's availability and agreement to serve.

4. Professional and Other Qualifications for Staff

The person who has primary responsibility for children in a center shall:

a. Be at least 21 years of age,

b. Have a completed high school education ors its equivalent as determined by the Department of Public Instruction.

c. Have a minimum of one course in early childhood education or child development as approved by the Department or be presently enrolled in such a course.

In addition, the person who has primary responsibility for children in a center for 9 or more children (i.e., administrator, director, head teacher, child caretaker) shall have:

a. Two full years of credit in an institution of higher education with at least 1 course equivalent to early childhood education, or

b. A Department approved in-service training course and 1 additional course in early childhood education or child development approved by the Department, or be presently enrolled in such a course.

The person who has secondary responsibility for children (i.e., assistant teacher, aide) shall:

a. Be at least 18 years of age.

b. Have completed or be enrolled in a child care course approved by the Department. Parents serving as staff in a parent cooperative may be exempt from this rule if they have 4 hours training in day care programming and procedures before working in the classroom.

A nursery school teacher in a center licensed as a nursery school shall have or show evidence of meeting qualifications for a nursery school teacher's certificate issued by the Wisconsin Department of Public Instruction.

Volunteers shall have at least 4 hours of training in day care programming and procedures before working in the classroom. A volunteer is a person who agrees to give regular or occasional time to work with children at a center. When volunteers are used, they shall work only under the supervision of the child care staff.

In the absence of regular staff members:

a. There shall be similarly qualified substitutes, or

b. In the event the regular staff member's absence is not anticipated to exceed 3 days, a person not meeting the educational qualifications may substitute if a qualified person is not available. Such a substitution shall not exceed 5 consecutive days.

All persons who come in contact with children shall have a health examination within 1 year prior to employment annually thereafter from the date of the last examination. The report, dated and signed by a licensed physician, shall be on file in the center and certify that:

a. The person is free from illness detrimental to children, and has had a nagative tuberculin test or chest x-ray.

b. The person is physically and emotionally able to work with young children.

In addition to the above health requirements, all food handlers shall have a yearly negative chest x-ray.

All volunteers shall have, prior to contact with children and annually thereafter, a negative tuberculin test or x-ray.

No person with a health history of typhoid, paratyphoid, dysentery, or other diarrheal diseases shall reside or work in a day care center until it is definitely determined by appropriate tests that such person is not a carrier of these diseases.

5. Facilities

There shall be a report of inspection by the Department of Industry, Labor and Human Relations or by a certified investigator of that Department as evidence o satisfactory compliance with state building codes.

The water supply shall be of safe, sanitary quality and shall be obtained from a water supply system the location, construction, and operation of which shall comply with the standards approved by the Department of Natural Resources.

Food storage and handling shall comply with the current written recommendations of the division of health.

Dishwashing procedure and care of equipment shall comply with the current written recommendations of the division of health.

Toilets of the water flush type shall be used and connected with a sewage system which has been approved by the division of health if of the septic tank, soil absorption type, or by the Department of Natural Resources if of the type that provides surface disposal of the treated effluent.

Each floor of the day care center shall be equipped with the required number of fire extinguishers approved by the Underwriters' Laboratories. Automatic carbon tetrachloride extinguishers are prohibited.

After receipt of an application for a license, the department shall investigate to determine if the applicant meets all minimum requirements for a license adopted by the department. . . The department may visit and inspect each day care center licensed by it. . .

Only floors having at least 2 exits to the ground level shall be used for children.

The space used by the children shall include 35 square feet of floor space per child. This space is exclusive of hallways, bathrooms, lockers, office, storage areas, isolation quarters, staff rooms, furnace room, and that part of the kitchen occupied by stationary equipment.

The rules on outdoor space shall apply to any center where children are present for 2 or more hours per day for 2 or more days per week. There shall be at least 75 square feet of play space for each child using the play area at a given time. An exception may be granted when 75 square feet is not available for all children if there is a plan to use the available space in shifts. The plan must be approved by the Department. The outdoor shall be enclosed in such a manner as to provide protection.

There shall be a minimum of 20 foot candles of illumination throughout every room used by children as measured on a light meter maintained on a horizontal plan 24" above the floor.

The following ratio of wash basins and toilets will be provided:

Number of Children	Wash Basins and Toilets
1 to 10	1
11 to 25	2
26 to 40	3
41 to 55	4
56 to 70	5
71 to 85	6

The center shall have at least 1 telephone with a list of emergency telephone numbers such as the local rescue squad, fire department, police department, and emergency medical service posted on or beside each phone.

Temporary isolation shall be provided for children with a cold, sore throat, inflammation of the eyes, fever, lice, rash, vomiting, diarrhea or other illness or conditions. . .

When a child naps or sleeps he shall be provided a washable, safe bed, crib or cot. . . Individual sheets and blankets, sufficient to maintain warmth, shall be provided either by the parent or the center.

When a family home is a day care center the beds of family members used by day care children shall be completely covered with a separate sheet. . .

No 2 children shall share the same bed.

Children shall be provided a mid-session snack or beverage when present for from 2 1/2 to 4 hours. One meal shall be served plus a mid-morning and mid-afternoon snack if the session is more than 4 hours, and a second meal if the session is more than 10 hours. Food shall be served at flexible intervals, but no child shall go without nourishment for longer than 3 hours. Fruit juice substitutes, if used, shall not be considered as nourishment. Each meal shall supply at least 1/3 of the daily needs of a child. All milk used for drinking shall be pasteurized grade A. Food and bottles brought from home for children under 2 shall be labeled with the child's name and refrigerated. No artificial sweeteners shall be used.

6. Special Notes

The board or owner shall carry liability insurance.

The board or owner shall provide for workmen's compensation insurance in accordance with chapter 102 of the Wisconsin statutes and comply with provisions of the federal social security act.

The Department may make exceptions to any of the rules for licensing day care centers when it is assured that granting such exceptions is not detrimental to the health, safety and welfare of children.

7. Political Subdivisions with Separate Licensing Regulations

WYOMING

1. Licensing Agency and Contact

Division of Public Assistance and Social Services
State of Wyoming Department of Health and Social Services
State Office Building
Cheyenne, Wyoming 82001

Mrs. Kay L. Mathewson
Children's Services Specialist

2. Legal Reference

Wyoming Compiled Statutes 1957, Sections 14-46.1 - 14-46.14.

Minimum Standards for Licensing Child-Caring Facilities, (DHSS), 1970.

A "child-caring facility" shall be any private person, partnership, association or corporation which is operating a business for profit or otherwise, where children under the age of 17 are kept and cared for, for their parents or legal guardians or at the request of the agency which has responsibility for the child.

All privately operated child-caring facilities, except those excluded under the provisions of Section 3 of the certification Act, prior to the exercise of care, custody or control of one or more minors, shall be required to be certified by the certifying authority. "Child-caring facilities" . . . shall include privately operated (1) children's institutions; (2) child-placing agencies, whether for permanent or for temporary placement; (3) foster homes not supervised by an official agency of the State of Wyoming or by any local governmental unit or school district, or any agency thereof; (4) group day care agencies; (5) detention homes; (6) receiving homes, public and private; (7) correctional schools; (8) homes for defective children; (9) ranches for children, whether for summer operation only or otherwise; (10) day or hourly nurseries, nursery schools, kindergartens, and all other pre-school establishments not accredited by the state board of education; (11) boarding homes not supervised by an official agency of the State of Wyoming or by any local governmental unit or school district, or any agency thereof; and (12) any other entity, and any person not related by blood or marriage to a minor having the legal or physical care, custody, or control of minors under the age of 17 years and receiving payment therefore where said custody is not supervised by an official agency of the State of Wyoming or by any local governmental unit, school district, or agency thereof.

The provisions of the certification act shall not apply to (1) the care of a child residing in his own home, nor that of his adoptive parents, nor that of any person to whom he is related by blood or marriage; (2) the occasional care of a neighbor's or friend's child where the caretaking person does not regularly engage in such activity; (3) the exchange of care of one mother's children by parents on a mutually cooperative basis; or (4) the care of a child by a person employed to come to the home of the child's parent or guardian; or, (5) day care agencies providing care for less than three minors under the age of 17; and (6) foster homes supervised by an official agency of the State of Wyoming or by any local governmental unit or school district in the State of Wyoming, or by any agency thereof; (7) ranches or farms which do not offer services to homeless, delinquent, or retarded children; (8) camps for summer operation only, which are operated by organizations not organized for profit making purposes.

Day Care is care provided for children out of their own home for two but less than twenty-four hours per day. Day Care includes Group Day Care and Family Day Care.

Group day care: A facility which provides care for eight or more children. The number of children who may be cared for in a particular day care facility depends upon the available staff, facility, space, program and equipment. Two years is the minimum age for group day care. No child under two years of age shall be cared for in group care. Group Day Care centers may be referred to as day care centers, private kindergartens, preschools and play groups. These are facilities having a planned program usually two to three hours in length, to further the development of the child below school age.

Group day care facilities fall into two groups: (1) those operated by individuals for profit; and (2) those operated by churches community groups or others as a non-profit community service.

3. Children Eligible, Adult/Child Ratios and Group Size

A certificate of physical examination signed by a physician currently licensed to practice in the State of Wyoming shall be required of each child admitted. The statement should indicate those children that have any physical or mental defect that would require special care on the part of the operator or that would affect the care given to the other children.

The facility shall accept a child for care only through and by approval of a parent, guardian or certified child-placing agency.

The personnel ratio, including the operator's own children, shall be determined as follows:

Ages of children	Staff Requirements
2-4 years of age	1 adult to 10 children
4-5 years of age	1 adult to 15 children
5-6 years of age	1 adult to 20 children

The ratios apply to the total number of children at any given time.

While children are in care, every child care facility shall have a competent adult on duty at all times.

4. Professional and Other Qualifications for Staff

Director. The director or operator shall be at least 21 years of age. All staff shall be at least 16 years of age.

A preschool operator shall have completed two years of college with some course work in early childhood education or child development, or shall have six years of experience or training in child care or an equivalent combination of education and experience.

Attending available workshops, institutes or other approved classes on the development of preschool children will satisfy the initial requirements for operators caring for six (sic) to eleven children. (Such workshops shall be sponsored by colleges and universities, public and private agencies or professional organizations.)

For group day care facilities caring for twelve or more children, at least one person should have training, education and/or experience in the field of early childhood education or child development, social work or nursing. The facility should provide for its staff appropriate in-service training and opportunity for attendance at conferences, institutes and workshops.

An operator who does not meet the requirements of a preschool may conduct a play group and clarify this type of facility in her advertisements.

Each applicant (operator) shall have three letters of reference on file with the Division of Public Assistance and Social Services, attesting to his character and child caring ability. The references shall include: (a) one person who has personal knowledge of the applicant's ability to care for children, and (b) two other reputable persons.

Teachers. A kindergarten teacher shall meet current Wyoming certification standards with an endorsement to teach kindergarten.

A doctor's statement shall certify that each applicant, staff member or volunteer worker is (a) in good health to care for children, (b) free from physical and mental illness, including active tuberculosis, and (c) not addicted to drugs or alcohol. Annual health statements shall be submitted to the Division of Public Assistance and Social Services.

The personnel record for each full-time or part-time employee (including service staff) must include copies of three statements of reference.

It is required that the age, emotional stability physical competence and educational experience of the applicant and personnel shall be critically evaluated prior to the issuance of a license.

5. Facilities

The child care facility shall comply with all local ordinances relative to zoning.

The facility shall conform to the state standards with respect to safety, environmental health, heating and ventilation, as set forth herein (i.e., the Minimum Standards).

A representative of the Division of Public Assistance and Social Services will call at the facility to determine whether minimum requirements are met and to make a study which includes an evaluation. This includes an evaluation of (a) the plan for child care, (b) the program, and (c) the administrative structure. A fire and health inspection is required for a facility classified as group day care for six (sic) or more children or boarding care for four or more children. Preschools and Kindergartens require an evaluation by the educational representative (on the Child Care Certification Board) in addition to the welfare, fire and health reports.

The premises of all child care facilities shall be open for inspection, upon request at reasonable times, by any authorized representative of the Division of Public Assistance and Social Services or the Certification Board.

Beginning September 1, 1971, new facilities will be approved for certification only when operating on the ground floor. Facilities which have been approved for certification before September 1, 1971, will be given approval until September 1, 1973. Attic or basement rooms (in facilities approved before September 1, 1971) shall be dry, heated, lighted, ventilated and free of fire hazards, and have at least two exits from each floor.

There shall be adequate indoor play space of at least 35 square feet per child.

There shall be adequate outdoor play space of at least 200 square feet per child. Outdoor play space should be suitably fenced or enclosed.

Bath and toilet facilities shall be located in the same building.

Ages of Children	
Under 4	1 toilet and 1 lavatory for 1-7 children
Under 4	1 extra toilet and 1 extra lavatory for each 8 children or portion thereof
Over 4	1 toilet and 1 lavatory for 1-12 children
Over 4	1 extra toilet and 1 extra lavatory for each 12 children or portion thereof

Each child shall be provided with his individual cot or bed and bedding; bunk or tier beds shall not be approved.

The facility shall provide a well-balanced and nutritional diet.

6. Special Notes

Sufficient parking area should be available to permit safe practices of daily admittance and pick-up of children.

Under established licensing procedure the Child Care Certification Board may recommend the waiver of any non-statutory standard. (The Board is composed of representatives of the state departments responsible for public welfare, education and public health, the state fire marshal, and two lay members who are operators of child caring facilities.)

7. Political Subdivisions with Separate Licensing Regulations

Cheyenne

Casper

PART II

FAMILY DAY CARE HOMES

Day Care Homes

ALABAMA

1. Licensing Agency and Contact

Bureau of Child Welfare, State Department of Pensions and Security, Montgomery, Alabama.

Contact: Director, BCW

2. Legal Reference

Code of Alabama, Recompiled 1958, Title 49, Sections 17(7), 62, 65-70, 76, 80-83.

Minimum Standards for Family Day Care Homes, (DPS), 1960.

Foster family day care is care of the child in a family home other than his own for part of the twenty-four hour day. Persons providing care for five or less unrelated children must secure a family day care license from the County Department of Pensions and Security.[1]

3. Child Eligibility

The number and ages of the children that can be cared for in a home depend upon the facilities and space in the home, the skill of the foster mother in dealing with children of different ages and the amount of time that she and other adults in the household can give to the children, and the community resources available for part time supplementary care.

(In homes in which child care is purchased by the State, the number of children must not exceed five, not more than two of whom may be under two years of age, when the age range of of the children is infancy through six years; when the age range is three through 14 years, the number of children must not exceed six. The maximum number of children that may be served includes the family day care mother's own children, infancy through 14 years.)

Each child should have a physical examination before being accepted for care and evidence should be presented that he is free from communicable disease at that time.

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[1] See "Minimum Standards for Day Care Centers for Children under Three," 1969, p. 9.

The child should be vaccinated before admission except in cases where a physician considers it inadvisable. If the child is over six months of age and has not been immunized against diphtheria he should have such immunization as soon as possible after admission.

4. Operator Eligibility

The day care mother should be of suitable age and temperament to care for children. She should have a liking for children and an understanding of their needs. She should be capable of handling an emergency situation promptly and intelligently.

She should be in good health and have no disqualifying mental or physical handicaps. Upon offering to serve children through foster day care, she should have a recent physical examination and present evidence that she is in good health and capable of caring for children. The physical examination should be made twice a year.

5. Facilities

The dwelling should conform to state and local fire and sanitary regulations. No rooms used for the care of children should be located so that the floor is below street level.

During winter months a temperature of 70 degrees farenheit should be maintained in all rooms occupied by children.

A safe and sanitary outdoor play space should be provided, free from conditions which may be dangerous to the life or health of children.

Individual beds or cots should be provided for all children.

If more than one child is in the home the arrangement should be such as to permit temporary isolation in case of illness.

The child's diet should be planned on the basis of knowledge of what the child gets at home, so his total food requirements will be met.

6. Special Notes

Day Care Homes

ALASKA

1. Licensing Agency and Contact

Division of Public Welfare
Department of Health and Welfare
Pouch H
Juneau, Alaska 99801

Contact: Day Care Consultant

2. Legal Reference

Alaska Statutes, Sections 47.35.010 - 47.35.080.

Minimum Standards for Day Nurseries in Alaska, 1961 (DHW).

A family day care home is a nursery caring for no more than six children at any one time, including the children of the operator. (See Part I - Day Care Centers for definition of "nursery.")

3. Child Eligibility

A physician's statement certifying to the child's admissibility to the nursery shall be maintained on file at the nursery; except that such a statement shall not be required for a child who is cared for in the nursery for a period of less than two weeks.

4. Operator Eligibility

The person responsible for the operation of a nursery shall be at least 21 years of age.

Each staff member, or member of the family household, having contact with the children, shall be in good physical, mental and emotional health. . . If a staff member has not undergone examination by a licensed physician within six months prior to the date of employment, she shall undergo such examination no later than one week after the date of employment. Each staff member shall furnish a. . .physician's statement certifying that her health is adequate to undertake the duties expected of her in the nursery and that she is free from communicable disease. Chest x-ray or other test for tuberculosis shall be part of the examination. A seriological test is recommended. Subsequent annual physical examinations are required.

In a family day care home, one staff member is required.

5. Facilities

The physical plant of a day care home shall conform to the standards for the physical aspects of foster boarding homes as set forth in the Division's Licensing Regulations for Foster Boarding Homes, which are contained in Sub-Chapter 2, Chapter 2, Division 2 of Title 7 of the Alaska Administrative Code.

All State and local health regulations shall be followed in the nursery.

Any substantial change in the physical plant of the nursery or its program shall be subject to review and approval by the Division of Public Welfare. It is required that the Division receive notice at least thirty days prior to the initiation of such changes.

Decision regarding licensure of any nursery shall be made by the Director of the Division of Public Welfare, based on a study of the nursery -- its staff, management and program -- by a staff member of the Division in cooperation with State and local sanitation and fire protection officials, to determine whether said nursery complies with the regulations for day nurseries.

Every nursery shall have a telephone, or one shall be readily available.

Individual cots or beds shall be provided for each child.

For children who remain longer than four hours, a complete and well-balanced meal shall be provided. At least one-third of the child's daily minimum requirements shall be provided.

6. Special Notes

ARIZONA

(Note: The State of Arizona does not require licensure of day care homes; however, such facilities are subject to certification by the State Department of Public Welfare in accordance with FIDCR. Certification is performed by county welfare agencies under the supervision of the State welfare department. The requirements summarized below are applicable only to day care homes in which welfare-supported children are placed.)

1. Certifying Agency and Contact

Arizona State Department of Public Welfare
1624 W. Adams Street
Phoenix, Arizona 85007.

Contact: Deputy Commissioner of Social Services.

2. Legal Reference

Standards for Certification of Day Care Homes (DPW), 1969.

Care is limited to a maximum of four children. All day care facilities providing care to five or more children must be licensed by the Arizona State Department of Health.

3. Child Eligibility

Before a child is admitted to a day care home, he should be certified free from communicable disease, if possible, and should be properly immunized.

4. Operator Eligibility

The day care parents shall be between the ages of 21 and 65. Special permission may be granted to certify a day care parent under 21 and over 65 who meets other standards.

The day care mother should be a mature, relaxed person who likes and understands children and can work creatively and constructively with them and their parents.

All members of the family shall be free of communicable disease. Evidence shall be presented on negative serology and negative x-ray or TB patch tests for all members of the household over the age of 14 who will be in contact with children in care.

5. Facilities

The home shall be in good repair and shall comply with all applicable local building, sanitary and fire regulations.

There shall be adequate space and equipment for meals and play.

Outside play areas shall be protected, preferably by fencing.

Individual cots or beds are recommended.

If a child becomes ill while in care, he should be isolated.

A wholesome and nutritious diet, suitable to the ages and needs of the children, shall be provided. Meals and snacks shall be provided.

6. Special Notes

1. Licensing Agency and Contact

Division of Child Care
Arkansas State Department of Public Welfare
Child Welfare Division
Little Rock, Arkansas

2. Legal Reference

Arkansas Statutes Annotated (1947), Sections 83-901 - 83-916

Licensing Requirements for Day Care Family Homes, (DPW), 1970.

A day care family home serves only as many children as it can integrate into its own physical setting and pattern of living. It is especially suitable for infants, toddlers, and sibling groups and for neighborhood-based day care programs including those for children needing after-school care. A day care family home may serve no more than six children in total. This number shall include the day care mother's own children and children of relatives under the age of 14.

3. Child Eligibility

No more than two children under 2 years of age may be enrolled. This includes the day care mother's own children of this age. If there are two children under 2 years, the total number of children cannot exceed five.

A statement from a physician regarding the general physical condition of the child must be provided within one week from enrollment.

4. Operator Eligibility

The day care mother must be between the ages of 21 and 65 years of age. Persons between 16 and 21 may assist but never be left alone with full responsibility for the children. Persons older than 65 years may be considered for licensing on an individual basis. A physician's statement of good health and mental stability is required every six months.

The names of two references must be given for interviews concerning the character and ability of the day care mother. All persons above the age of 14 in the home during the time the children are present must have a physician's statement of physical condition, including the results of VD and TB tests. This statement must be provided at least once each 12 months.

The day care mother must provide a clear statement regarding the presence of any other adults who remain in the home during the day. If there is evidence that any such person represents a threat to the safety or welfare of the Day Care children, a license will not be granted. Such persons will be required to show a physician's statement dated within the last six months. If there is any evidence of developments of mental or physical impairment since the last examination by a physician, the licensing worker will be within his or her rights to require a new examination.

The day care mother must have complete records of her own children's diseases and immunixations. . .

The day care mother may not be employed elsewhere.

5. Facilities

A day care family home must meet local ordinances concerning sanitation, fire prevention, and zoning.

The facility shall be inspected and approved by a duly authorized representative of the Welfare Department prior to accepting children for care and issuance of a license, and the Department shall have the authority to visit and inspect the facility at all reasonable times.

A safe outside play area will be provided; it must be fenced if located on a busy street or highway, and there is no isolated section for play.

Each child under 2 years of age shall have a separate baby bed with sides that lock. Other preschool children must rest or sleep on cots or family beds equipped with clean linens.

Children who become ill during the day must be isolated.

All children must be fed during the day. The food in the middle of the day must be a meal. Parents and day care mothers must arrange for special feeding for infants.

6. Special Notes

1. Licensing Agency and Contact

Adoptions and Foster Care Bureau, Department of Social Welfare,
744 P Street, Sacramento, California 95814.

Contact: Social Service Consultant.

2. Legal Reference

California Welfare and Institutions Code, Sections 16000 et seq.

California Administrative Code, Title 22, Chapter 6.

Family Day Care Licensing Regulations (Department of Social Welfare Circular Letter #2483, Aug. 31, 1970). The purpose of the amendments transmitted by the Circular Letter is primarily to bring family day care licensing regulations into conformity with federal interagency regulations. These regulations will apply to all foster homes whether the federal funding is provided in the care of the child or not.

Family Day Care Homes - Family homes, non-institutional in character, which provide day care only, with or without compensation, for:

a) not more than five children, including the family day care mother's own children through the age of sixteen, when the age range is infancy through six.

b) not more than six children, when the age range is three through sixteen, including the family day care mother's own children through the age of sixteen.

A home may be licensed to care for children ranging in age from infancy through six or for those children three through sixteen. An exception to these age groupings may be allowed when siblings are placed in the same home; however, the total number of children in the home must not exceed the requirements as outlined above in a) and b).

3. Child Eligibility

In homes licensed to care for infants, at no time can there be more than two children under age two in the home, including the day care mother's own children.

Every child admitted shall have a physical examination within two weeks after admission unless he has had a complete physical examination within a month prior to his admission. The appropriate immunizations for his age shall have been given or shall be in process.

4. Operator Eligibility

All members of the foster family, household or employees must be in good health, both physically and mentally and free from defects or disabilities which would adversely affect the care of children. When foster parents and/or other members of the household have claimed exemption relating to the requirements relating to intradermal tuberculin test and chest x-rays on the basis of their religious faith the license shall be limited to the care of children of the same faith.

There shall be provision for another adult to be readily available on whom the day care mother can call, in case of emergency or illness, to provide temporary care for the children in the home.

If one or more children in the home require more than usual care because of emotional disturbance, retardation or other handicap, there shall be at least two adults providing care for the children in the home on a regular basis.

5. Facilities

Homes must conform to state laws and regulations governing housing, sanitation and fire safety.

Each family day care home shall provide space and equipment for free play, rest, privacy and a range of indoor and outdoor activities suitable for the children's ages and the number of children in the house.

Individual cots or beds shall be provided for rest periods.

Space shall be provided for the isolation of children who become ill.

6. Special Notes

There is also provision for licensure of Special Day Care Homes which provide day care for from seven to ten children, aged three through sixteen, including children of the foster family through the age of sixteen. The ratio of adults to children in such facilities shall not exceed one to six. If one or more preschool children are in care, the adult-child ratio must be one to five. No child under three shall be accepted in this type of care.

Family day care homes are licensed by the county welfare departments through delegation of this power to them by the State Department of Social Welfare. Counties, however, must follow the state licensing regulations and actually license in the name of the Department.

1. Licensing Agency and Contact

Licensing Unit
Children and Youth Services
Division of Public Welfare
Colorado Department of Social Services
1575 Sherman Street
Denver, Colorado 80203

2. Legal Reference

Colorado Revised Statutes 1963, Sections 22-12-1 - 22-12-11.

Minimum Rules and Regulations for Day Care Homes, (DSS).

"Family care home" means a facility for child care in a place of residence of a family, person, or persons, for the purpose of providing family care and training for a child or children under the age of sixteen years who are not related to the head of such home. The term includes any family care home receiving a child or children for regular twenty-four hour care, and any home receiving a child or children from any state-operated institution for child care or from any child placement agency, . . . or any day care home receiving a child or children for less than twenty-four hour care.

A day care home means a facility for the purpose of providing care and training for a child or children not related to the caretaker for more than two full consecutive days on a regular weekly basis. A full day is seven or more hours.

(A grandfather clause in the regulations provided a five-year compliance period for licensed day care homes existing on the date of promulgation of the regulations (January 1, 1966).)

3. Child Eligibility

A day care home may accept children from birth to 16 years of age, with not more than two children, including the day care mother's own children, under 2 years of age. No more than six children including the mother's own preschool children will be permitted.

No child shall be admitted to the day care home without a doctor's certification of his freedom from illness or communicable disease. A signed statement shall be obtained annually.

4. Operator Eligibility

The day care parent shall be the person directly in charge of the children. Three satisfactory references shall be listed who can vouch for the applicant's integrity and suitability to work with children.

The parent, as well as members of the parent's family and all others living in the home, shall have a yearly medical statement from a doctor verifying that each person is in good health.

5. Facilities

Fire hazards must be eliminated according to local and State fire regulations.

No license shall be used or renewed by the Division of Public Welfare until the facilities . . . shall be approved by local departments of public welfare or the Denver Maternal and Child Health Service.

A location conducive to the general well-being of the child or children in a district where the child of school age can attend school.

At least 35 square feet of usable indoor space per child exclusive of halls, baths, and kitchens shall be provided.

A fenced outdoor area of at least 75 square feet per child, a portion of which shall be grassed, shall be provided.

A telephone is required.

A rest period of at least one hour daily taken on a bed or a cot shall be provided each child under 4 years of age.

Midmorning and afternoon snacks, including milk or fruit, shall be available for each child. The diet shall include one pint of milk a day for each child.

6. Special Notes

Day Care Homes

CONNECTICUT

1. Licensing Agency and Contact

Division of Services for Children, Connecticut State Welfare Department, Hartford, Connecticut 06115.

Contact: Day Care Unit.

2. Legal Reference

Connecticut General Statutes Annotated, Section 17-48.

Administrative Regulations - Child Care Facilities, (WD), 1970. Section 17-48-45 et seq.

Placement Services - Family Day Care Homes, 1968. (State Welfare Department Manual, vol. 2, chapt. 3).

"Day care home" means a child-care facility (a) which is a private family home caring for not more than four children not "related to" the owners of the facility, or, with the approval of the commissioner, not more than six such children of whom at least five are of common parentage, such approval being based on such considerations as space, number of persons in the home, and the age differential of the children, and (b) where the children are cared for not less than three nor more than twelve hours during a twenty-four hour period, and (c) where the care is given on a regularly recurring basis, and (d) where the "day care parents" (means) are the owners of and use the facility as their private family living quarters, and (e) the facility is not licensed or licensable as a day care center.

3. Child Eligibility

The total number of children accepted for care shall not exceed four, except where five or more of the children are of common parentage, in which case the total number of children shall not exceed six.

Not more than two children under 2 years of age, including the operator's own children, shall be cared for in a day care home unless a competent, full-time adult is present to care for not more than 2 additional children under 2 years of age.

The child's parents retain responsibility for providing routine or ongoing medical and dental care, including the preplacement physical examination, and for knowing and approving the arrangement to be made in the case of emergencies.

4. Operator Eligibility

The day care mother should like and understand children and be capable of giving them affection and security. The day care parents must be able to accept supervision and work with the Department of Welfare for the best interests of the child.

The day care family may consist of the mother along.

Only children of school age are placed in the home of a working (day care) mother whose hours for working must coincide with or be less than the school hours.

There shall be evidence that the health, character, and temperament of all members of the household are such that they are not injurious to the physical, mental, or moral health of the child in the home. The day care family must be free from infectious or communicable diseases, and the day care mother must be physically able to care for a child.

Proof of health may be obtained from the family physician. If there has been no recent physical examination or if the doctor has not had recent contact with the family, the family is asked to have physical examinations. Report of a health examination by a doctor or clinic obtained within the past year for such purposes as life insurance or employment can be used. If there are other members besides the immediate family in the home, a doctor's statement regarding their health should be obtained. In case of any questionable health condition, the licensing worker consults with the District Office Medical Consultant to determine that a child will not be affected. A personal telephone call to the doctor is preferable to accepting a signed statement alone. . .

If there is a history of tubercular infection in any member of the household, the (licensing) worker will inform the Medical Director, Central Office. If there was no recent examination, the Medical Director will arrange for a medical examination with the State Tuberculosis Commission within 90 days of the date of request. The report on the examination will contain a recommendation as to whether or not the person in question would represent a health hazard to children placed in the home. In cases where the prospective day care mother was the patient, the recommendation will include a statement as to whether the care of a child placed in the home might impair the day care mother's improvement.

5. Facilities

The home must meet the fire, safety and zoning regulations of the individual town.

Among the causes for revocation of license are failure to comply with applicable state and local laws, ordinances, rules and regulations relating to building, fire protection, safety, sanitation and zoning . . . failure or refusal to admit the commissioner of welfare or his authorized representative to the facility premises at any reasonable time for the purpose of investigation.

The home shall be in a neighborhood conducive to the general welfare of the child. The home should be on or accessible to a road passable 12 months of the year.

The foster parents shall be able to arrange for private transportation or public transportation shall be near and available. The day care family should have its own car or be able to arrange for transportation in case of emergency.

The home and grounds shall be reasonably free from things that would constitute hazards to the children.

There shall be provision or arrangements for both indoor and outdoor play, depending upon the age of the children.

A bed, cot, mat, or other provision for each child's nap or rest period will be made.

The day care parents shall provide a wholesome general diet, or special diet as directed, and shall agree to follow any health program directed by the child's physician.

6. Special Notes

In addition to the licensing day care centers and family day care homes, the State of Connecticut licenses:

Facilities which receive more than six children for a period between 7:00 p.m. and 7:00 a.m.

1. Licensing Agency and Contact

Division of Social Services, Department of Health and Social Services Welfare, 4335 Governor Printz Blvd., P. O. Box 309, Wilmington, Delaware 19889.

2. Legal Reference

Delaware Revised Code, Title 31, Sections 341-344.

Requirements for Licensing Independent Boarding Homes for Children, (DHSS), 1960.

Any person, association, agency, or organization is the keeper of a boarding home for children, if for hire, he or it-

> Advertises or holds himself or itself out as conducting such a boarding home;
>
> He has in custody or control one child or more under the age of 18, unattended by parents or guardian, for the purpose of providing such child or children with care, food, or clothing for compensation.

Homes in which children have been placed by any child placement agency, properly licensed to place children in this State, shall not be regarded as "boarding homes."

3. Child Eligibility

The number of children given day care shall not exceed 6, including the licensed parent's own preschool children. No more than 3 infants shall be cared for by one person.

Each child shall have a complete physical examination before being accepted for care. Periodic health examinations shall be given each child over two at least once a year. Children under two shall be seen regularly at the clinic or by their own physician as recommended. Dental examination shall be arranged for at least yearly by the own parents or by the licensed parents.

4. Operator Eligibility

The licensed parents shall be responsible, wholesome people with sufficient emotional stability to give the right kind of care to the child.

The family shall be a in good physical and mental health and a written statement of good physical health including freedom from infectious diseases shall be obtained from a competent physician on every person in the home who comes in regular contact with the children.

5. Facilities

The home shall conform in building, safety, sanitary, and fire precautions to the legal regulations of the local community and State. These conditions will be verified by the Fire Department, Building Inspector and/or the Board of Health at the request of the Department.

The water supply shall be of a safe sanitary quality and shall be obtained from a water supply approved by the State Board of Health.

Sewage shall be disposed of in a manner and by a method approved by the State Board of Health.

When inspection of the home by a fire safety inspector, such as a representative of the local volunteer fire company or the State Fire Marshal cannot be procured, the (licensing) worker shall make certain determinations specified in the regulations.

The licensing representative of the Department shall visit the licensed home at least semiannually or as often and in such manner as the Department deems necessary.

The neighborhood in which the home is located shall be free from unwholesome influences. It shall be accessible to schools, churches, and recreational facilities when the child being cared for is five years of age or older.

The home shall have adequate space to meet the needs of both family and children, there shall be suitable provision for both indoor and outdoor play, sleeping, eating, and living.

An adequate and well-balanced diet shall be provided for each child in accordance with the proper nutrition for the age of the child.

6. Special Notes

The State of Delaware also licenses group day care homes.

The group day care home offers family-like care, usually to preschool through 14-year-old children, in an extended or modified family residence. It utilizes one or several employees and provides care for more than five but less than 12 children.

Regulations governing this type of facility are set forth in Requirements for Licensing the Group Day Care Home, (DHSS), 1969.

1. Licensing Agency and Contact

Community Standards Division
Bureau of Special Services
Community Health Services Administration
Department of Human Resources
Government of the District of Columbia
801 North Capitol Street
Washington, D. C.

2. Legal Reference

"Requirements to Be Met by Foster Family Homes Giving Care to Children." (Regulations adopted by the Commissioners of the District of Columbia January 7, 1924, as amended through April 18, 1963.)

As used in these regulations the term foster family home means a family home maintained by an individual or individuals in which a child or children under 15 years of age is or are received for part or full-time board or care, provided that such child(ren) is/are not within the fourth degree of kinship by blood, marriage, or adoption (i.e., parents, siblings, grandparents, grandchildren, nephews/neices, great-grandchildren, first cousins, grandnephews/nieces, great-great-grandchildren.)

3. Child Eligibility

No child should be admitted to a home without a complete physical examination by a registered physician, who has submitted a written report of such physical examination, stating the child to be free from communicable disease, and recommending that the child be admitted to the group.

No children over six months and under 12 years of age should be admitted unless such child has been given toxoid inoculation for prevention of diphtheria.

No child over two years of age should be admitted unless such child has been vaccinated for the prevention of smallpox.

Normal and handicapped children should not be admitted to the same home without prior approval from the licensing authority.

4. Operator Eligibility

Foster parents are required to demonstrate their fitness as guardians of children: foster parents must be of an age which will make it possible for them to live with the children in a normal, comfortable relationship; they must have patience, endurance, and sound judgment, they must have satisfactory community relations, they must be able to provide character witnesses; they must show a genuine love of children.

It is required that all persons in a house coming in contact with the children be in good health. The foster parents and all members of their household should have annual health examination by a registered physician who submits a written report stating that the person is free from tubreculosis and other disease in a communicable form and is in good health.

5. Facilities

There must be compliance with zoning, building, and fire regulations.

Low windows and stairways used by children must be approved as safe by the Community Health Services Administration.

Representatives of the licensing authority will inspect homes before the recommendation is made that a permit be given, and at regular intervals thereafter. Each home will be considered on its own merits.

Indoor space is required to provide for separate space for eating and sleeping, kitchen, storage, toilet facilities, and recreation.

Provisions for outdoor play must be made, either by a safe, enclosed, sunny sanitary yard or by location within a safe distance of a park or playground.

A separate bed or crib is required for every child.

Arrangement for the isolation of a sick child is required.

The meals served should meet the basic nutritional needs of the children.

6. Special Notes

D. C. day care facility regulations are currently under revision.

Day Care Homes

FLORIDA

1. Licensing Agency and Contact

Division of Family Services
State of Florida Department of Health and
Rehabilitative Services
5920 Arlington Expressway
P. O. Box 2050
Jacksonville, Florida 32203

Contact: Supervisor, Day Care Unit, Bureau of Children's Services

2. Legal Reference

Chapter 21013, Laws of Florida 1941. (Counties with population over 267,000).

Chapter 26065, Laws of Florida 1949. (Orange County).

Minimum Standards for Child Care Programs [revised June 1970] (DHRS), 1971.

Family Day Care Home - The care of children in a home which serves no more than five children (infancy through age 16) including the family day care mother's own pre-school aged children. It is especially suitable for infants, toddlers, and sibling groups and for neighborhood based day care programs, including those for children needing after school care.

The requirements set forth by the Standards for day care centers are also applicable to day care homes. See Part I - Day Care Centers (Florida) for summary.

Day Care Homes

GEORGIA

1. Licensing Agency and Contact

Georgia Department of Family and Children Services, Division for Children and Youth, State Office Building, Atlanta, Georgia 30334.

Contact: Day Care Specialist, Licensing Unit.

2. Legal Reference

Georgia Code Annotated, Section 99-214.

Minimum Standards for Family Day Care Homes, 1969. (Rules of the Georgia Department of Family and Children Services, Division for Children and Youth).

Family day care home shall mean a home operated by any person who receives three or more children under 17 years of age, who are not related to such person and whose parents or guardians are not residents in the same house, for daytime supervision and care, without transfer of custody.

3. Child Eligibility

The maximum number of children cared for in the day care home shall not exceed 6, including the day care family's own children and relatives.

When there are three children under 2 1/2 years of age in the family day care home, plus older children, there shall be a helping person in addition to the day care parent available in the home.

Individual children's records which the home must keep include:

Current immunization records. . . These shall include smallpox, measles, tetanus, whooping cough, diphtheria, polio.

A record of the result of a skin test or x-ray for tuberculosis.

A signed statement from a physician indicating that the child is free of communicable or contagious disease. This shall be renewed at least annually (preferably every six months for the child under two years of age) and at any time the child's general condition indicates the need while the child is in care.

4. Operator Eligibility

At least one adult shall be present with the children at all times. Some plan must be made to obtain additional adult help for emergencies. Children shall at no time be left in the care of anyone under 16 years of age.

The director and/or owner of the family day care home shall be a person of good character who has evidence of knowledge through successful experience with young children and/or recent training of the growth and developmental needs of children and to understand the role of day care in meeting the needs of children and families.

The day care parent or staff employed by the day care parent shall have evidence of recent participation in workshops, courses, seminars, etc., which relate to the care of young children. If such training is not available, this requirement may be waived until training is available.

There shall be on file medical reports certifying that members of the family day care home are free from communicable and contagious disease. These reports shall be renewed annually.

Records of any employee must include evidence of annual physical examination and result of skin test or x-ray for tuberculosis.

5. Facilities

The family day care home shall meet all laws, regulations, rules and ordinances of State, local and federal governments which apply to its operation.

Special approval shall be obtained for use of rooms lower than three feet below ground level to be used to house children. To be considered for approval, these rooms shall be warm, dry, well ventilated and well lighted.

It shall be the duty of the Division (for Children and Youth) to inspect at regular intervals all licensed child welfare agencies within the State . . . (The family day care home is one type of child welfare agency.)

The family day care home shall provide at least one room in which children may play energetically with freedom. The rooms in which children are served will provide 35 square feet of useable play space per child.

The outdoor space shall be safe, easily supervised and located adjacent to the family day care home. It shall contain at least 100 square feet of useable play space per child in any group using the play area at one time. It shall be fenced or otherwise protected from traffic or other outside hazards.

A telephone shall be accessible to the family day care home.

The family day care home shall have an arrangement with a nearby physician, clinic, or hospital so that immediate treatment can be obtained in emergencies.

Provision shall be made for each child to have a comfortable place to nap. Equipment shall be kept clean and sanitary.

Any child showing symptoms of illness during the day shall be removed from the group to a quiet area where he shall receive necessary attention until such time as the home and his parents can make plans for his care elsewhere.

Children who are in care 5 or more hours shall have 1/3 of their daily food needs supplied by the family day care home. This shall include a nutritious mid-morning snack or breakfast, a noon-day meal (preferably hot) and a mid afternoon snack.

Children in care for 10 hours shall have an additional meal, either breakfast or supper depending upon hours of care. For children under one year of age, the family day care home shall secure from the parents a formula and feeding plan.

6. Special Notes

As of October 30, 1970, the Georgia Department of Children and Family Services is planning to establish regulations and standards for group day care homes which will be licensed for the care of 7 to 12 children. It is anticipated that such regulations will be in effect in the near future.

1. Licensing Agency and Contact

Department of Social Services and Housing
State of Hawaii
P. O. Box 339
Honolulu, Hawaii 96809

Contact: Program Development Administrator

2. Legal Reference

Hawaii Revised Statutes, Sections 346-18 - 346-25.

Rules and Regulations Governing Family Day Care Homes, (DSSH), 1966.

A family day care home is a home in which two but not more than five children are provided regular care apart from their parents or guardians, with or without charging a fee during any part of a twenty-four hour day, where the relationship of child and family day care parents is not by blood or marriage.

3. Child Eligibility

A family day care home shall provide care for no more than five children, exclusive of family day care parent's own children. However:

a. In no instance shall care be provided to more than five children under 8 years of age, including family day care parent's own children.

b. In no instance shall care be provided to more than two children under the age of 2 years by one adult, including family day care parent's own children.

c. Should there be additional adult help in the home, at no time shall care be provided to more than four children under the age of 2, including family day care parent's own children.

The family day care parents shall require written medical reports and health information on each child accepted for admittance to their home. These will include the report of a physical examination by a licensed physician given within

90 days immediately preceding placement, and immunization records. The day care parents shall require that a child in day care have a physical examination at least annually and have appropriate immunization in accordance with the Public Health Regulations of the Department of Health.

A health record on each child shall include the following information. . .chest x-ray or tuberculin test.

4. Operator Eligibility

Family day care parents shall show evidence of being well-adjusted persons, capable of understanding and caring for children. They shall provide two references who have adequate knowledge of the operator's family background, character, and ability to care for children. Income of a day care family shall be reasonably steady and sufficient to maintain an adequate standard of living for the family.

Prior to the initial approval of a family day care home, the following written medical reports shall be submitted by the family day care parents to the agency:

a. Physical examination reports on the family day care parents from a licensed physician, including a chest x-ray or tuberculin test in accordance with the Department of Health's current recommendations.

b. A chest x-ray or a tuberculin test on every member of the household.

c. Upon request, additional reports with reference to the health of other members of the household.

Annually, chest x-ray or tuberculin test shall be required of the family day care parents and all members of the household. A physical examination report of any member of the household shall be furnished upon request to the Department.

5. Facilities

The home shall comply with State Laws and Public Health regulations on sanitation and housing:

The family day care home shall be subject to visits by the Department as is deemed necessary to protect the welfare of children in day care.

For daytime care there shall be a minimum of 35 usable square feet per child of indoor area. For nighttime care, every room used for sleeping purposes shall have a minimum of 50 usable square feet per child of area.

There shall be easy accessibility to adequate outdoor space. It shall be fenced or otherwise protected, safe and well drained with sunny and shady areas.

A bed, cot or insulated bag will be provided for each child. Individual cribs will be provided for children under 2 years of age.

A child who becomes ill after he is admitted to the home shall be separated from the rest of the group . . . until the parent can call for him.

6. Special Notes

Exceptions to the Regulations may be made at the discretion of the Department.

Day Care Homes

IDAHO

1. Licensing Agency and Contact

Idaho Department of Public Assistance, Box 1189, Boise,
Idaho.

2. Legal Reference

Idaho Code, Sections 39-1208 - 39-1224.

Rules and Regulations for Implementation and Enforcement of Standards for Licensing Under the Child-Care Licensing Act, 1963 - Foster Homes and Day-Care Homes, (DPA).

A day care home is a home or place in which any child or children not related by blood or marriage to the person or persons operating such a home are regularly received and cared for during any part of the 24-hour day.

3. Child Eligibility

The number of children under care at one time shall be limited to not more than six children including those of the foster mother. Of the total of six, not more than four shall be foster children. Not more than two children under 2 years of age, including those of the foster mother, shall be under the supervision of one adult. (In the event that there are two competent adults giving care to the children, two additional infants may be given care, but no more than four infants, including those of the foster mother, may be given care at the same time.)

Teenage children of the foster mother need not be included in the total of six, provided that adequate care and individual attention can be given to all of the children without overburdening the foster mother.

The age and sex of the children for whom the home is equipped to care will be determined by consideration of the environmental factors affecting the safety and welfare of the children.

4. Operator Eligibility

The foster mother shall be of suitable age and temperament to care for children. Foster parents shall be persons of good character and habits. Three satisfactory references including the family physician will be required. A report of good health, (for any member of the household) from a regularly licensed physician may be required if this seems necessary or advisable.

5. Facilities

A day care home shall be in a residential or rural district (not commercial or factory) to avoid hazards to the safety of the children.

There must be adequate toilet facilities. . . The Department will request inspection of outdoor toilet facilities by a Department of Health sanitarian if this seems advisable.

The water supply in homes where water is obtained from a source other than a city water system shall be approved by the Department of Health.

If the milk used is from the foster parents' cows, there must be continued assurance that the milk is handled in a sanitary way and that the cows are free from tuberculosis and Bangs disease. If milk is purchased, it shall be pasteurized or shall come from a licensed raw milk dairy.

The Department shall visit each child-care facility as often as it deems necessary or desirable, but in any event at intervals not to exceed six months, for the purpose of determining whether the facility consistently maintains conformity with the standards, rules and regulations. . .

Basement rooms shall not be used for the case of children, or as play rooms, unless they are dry, adequately heated, lighted and ventilated . . . free from fire hazards and have adequate exits.

A home shall be considered overcrowded when there is less than 35 square feet of floor space available for play space for each child.

Outdoors, a minimum of 75 square feet for each child under the age of 6 and a minimum of 100 square feet for each child 6 years of age or older shall be available for play space. For toddlers an enclosed yard is preferred. Adequate fencing is required if hazardous conditions exist.

Individual beds or cots shall be provided for infants and young children who require rest periods. Beds for infants shall have sidewalls or other protection.

Provision shall be made for the isolation of a child in the event of illness.

The diet shall be well balanced and adequate to meet the nutritional needs of children and shall be served at regular hours.

6. Special Notes

ILLINOIS

1. Licensing Agency and Contact

Division of Child Welfare, Illinois Department of Children and Family Services, 528 South Fifth Street, Springfield, Illinois 62706.

Contact: Coordinator, Licensing Services.

2. Legal Reference

Smith-Hurd Illinois Annotated Statutes, Chapter 23, Sections 2211 - 2230.

Minimum Standards for Licensed Day Care Homes, 1970. (Children and Family Services Regulation No. 5.09).

Day care homes are family homes which receive not more than eight children for care during the day. The maximum of eight includes the family's natural or adopted children under age 18 and those children who are in the home under full-time care.

3. Child Eligibility

The maximum number of unrelated children permitted in a licensed home shall be in reverse ratio to the number of own children, under the age of 18, in the home:

Own Children, Under the Age of Eighteen in Home	Maximum Number of Unrelated Children Permitted
8	0
7	1
6	2
5	3
4	4
3	5
2	6
1	7
0	8
0	9 or more if of common parentage

No more than four children under 6 years of age, including the day care mother's own children, shall be cared for unless there is another responsible person to assist the day care mother in the home.

If there is a total of four children in the home, two or more of whom are under 2 years of age or handicapped, an assistant is required.

If there is a total of five or more children under 6 years of age in the home, including two or more under 2 years of age or handicapped, an assistant is required.

Each child shall have a physical examination by a physician prior to placement in the day care home to determine that he is free from contagious or infectious diseases. If a complete physical cannot be given prior to admission, it must be given within 30 days after placement unless there is clinical reason for further delay. The examination must include a tuberculin skin test and chest x-ray if the skin test is positive.

A child may be exempt from immunizations on constitutional grounds, only upon written request of the child's parent or guardian. A home admitting such a child shall do so on its own, or supervising agency's responsibility.

4. Operator Eligibility

If there are two parents in the home, both shall be included when application for license is filed. The parents shall be stable, responsible, mature individuals of reputable character, who can exercise good judgment in caring for children and who have the capacity to accept agency supervision.

Prior to licensing the day care parents shall furnish a medical report on each member of the household and child care assistants. Other persons employed in the home may be required to have physical examinations, if the supervising agency deems it necessary. The medical report shall include the results of a tuberculosis examination. Reexaminations may be required at the discretion of the physician or the supervising agency.

A person assisting the day care mother shall be at least 16 years of age, except that a person 14 years of age may assist when school is not in session. If a person assisting is 14 to 18 years of age and is not a resident in the home, he is to be considered only as a helper, not as a child under care.

5. Facilities

The day care home shall be safe, clean, well ventilated, and properly lighted and heated. The water supply and sanitation of the home shall comply with all requirements of the local and/or State health authorities.

Food products from home-raised animals shall meet the standards of the Departments of Agriculture and Public Health.

Household pets must be inoculated if required by State or local regulations.

The Department, its agent must re-examine every child care facility for renewal of license, including examination of the premises and records of the facility, to determine that minimum standards for licensing continue to be met. In the case of foster family homes, day care homes or night-time homes under the supervision of or otherwise required to be licensed by the Department, or under supervision of a licensed child welfare agency, the examination shall be made by the Department or agency supervising such homes.

There shall be a safe outdoor space for active play, protected against such hazards as traffic, pools, railroads, and construction.

If pre-school children remain in the home longer than five consecutive hours, a supervised nap period must be provided. A separate bed, or cot, and individual bedding shall be provided for each child. If beds used by the day care family are also used for children under care, they shall be completely covered with clean linens before being used for a child.

There shall be provision for removing a child who is ill, or suspected of having a contagious disease, from the other children pending medical determination.

Meals and snacks will be provided so that no more than five hours elapse between meals.

6. Special Notes

Day care home applicants operating a rooming or a boarding house or other business enterprise on the premises shall present evidence that the operation of such business does not interfere with the day care of children.

The State of Illinois also licenses night care facilities (both centers and family homes). A night-time home means a family home which receives no more than eight children, including the family's own children under the age of 18, for night-time care. Separate regulations are provided.

1. Licensing Agency and Contact

Indiana Department of Public Welfare, 100 North Senate Avenue,
Indianapolis, Indiana 46204.

Contact: Licensing Supervisor.

2. Legal Reference

Burns' Annotated Indiana Statutes, Sections 42-1305 - 42-1319.

Licensing of Boarding Homes for Children, (Rules and Regulations - Department of Public Welfare, Title 3, Chapter 1).

A boarding home for children is defined as the place of residence of a person who for hire, gain or reward has in his custody or control a child, unattended by parent for guardian, except a child related by blood or marriage, for the purpose of providing him with care, food or lodging.

A boarding home for daytime care of children is a place of residence in which children are cared for only during the daytime.

(The summary below also reflects those additional requirements relating to staff, housing, health, and personal care of the child which must be met when there are more than 6 children in care.)

3. Child Eligibility

Infants as well as older children may be cared for in a day care home.

When there are more than 6 children in care, the boarding mother shall maintain an adequate staff for the care of the number of children stated in the license.

4. Operator Eligibility

Foster parents shall be mature individuals who are capable of exercising and do exercise good judgment in the handling of a child.

The health of all members of the foster family or other individuals living in the home shall be such that it will not be detrimental to the health and welfare of the foster children.

A statement from a duly licensed physician and such other evidence of good health as may be required of the foster family by the Department shall be furnished.

5. Facilities

A boarding home for daytime care of children shall not be located where unusual conditions exists that would be hazardous to the physical or moral welfare of the child.

Boarding homes for day-time care of children shall conform to all rules and regulations of the local police, fire and safety authorities and of the State Fire Marshal as to fire and safety protection and to all laws pertaining thereto.

The boarding home for day-time care of children shall conform to the sanitary laws and ordinances of the State and the city or town in which it is located.

Milk supply, water supply and sewage disposal shall conform to the standards set by the State Board of Health under its rules and regulations and all laws pertaining thereto.

Boarding homes for day-time care shall conform to all rules and regulations of the local health authorities and the State Board of Health as to diet, medical care and sanitation and to all laws pertaining thereto.

Recreational facilities shall be made available for indoor and outdoor play.

When more than 6 children are cared for:

35 square feet of usable indoor play space per child will be provided.

An enclosed yard with a minimum of 50 square feet of space for each child will be provided.

Children under 2 will be cared for in a different play and sleeping room from the older children.

There shall be at least one stool and wash bowl for each 10 children.

All rooms used for infants shall be maintained at all times at a temperature of 70° F. There shall be accommodations for daytime naps.

Proper facilities and opportunities shall be provided for school children to study if hours of care make it advisable.

There shall be accomodations for day-time naps which shall have adequate ventilation and space necessary for the health, safety and welfare of the children. Individual covering shall be provided for naps . . .

If a child should become ill during the day, he shall be isolated from the others. If more than six children are in care, a separate room shall always be available for the isolation of a sick child.

Food supplied to children shall be of good quality, properly prepared, and sufficient in quantity to meet their individual needs.

6. Special Notes

If more than 6 children are in care, a program of activities which have educational values and which give children constructive group experience shall be planned for part of the day.

1. Licensing Agency and Contact

Bureau of Family and Children Services, Department of Social Services, Lucas State Office Building, Des Moines, Iowa 50319.

Contact: Supervisor, Day Care Section.

2. Legal Reference

Iowa Code Annotated, Section 237.1 et seq.

Employees' Manual - Foster Care Services (DSS), 1970.

Any person who receives for care and treatment or who has in his custody at any one time one or more children up to the age of 16 years unattended by parent or guardian, for the purpose of providing them with food, care, and lodging. . . shall be deemed to maintain a children's boarding home.

(A family day care home is one type of foster home but is not further defined in the regulations.)

3. Child Eligibility

The number to be cared for in one foster boarding home shall not exceed five including the foster family's own children.

Caring for foster children on a day care basis and a full-time basis in the same home shall not be permitted except in special types of situations approved by the representative of the department.

Every foster child shall be given a physical examination at the time of placement. He must have all immunizations the local or state authority deems necessary.

When a child is placed without such immunizations, the procedures should be started immediately. Booster shots shall follow recommendations as set forth by. . .the State Health Department.

The requirements governing the health and medical care provided a foster child shall recognize the right of the child's parents. . .to modify, because of religious convictions, the kind of medical service used. This modification shall not prevent proper immunizations or the adequate protection of the health and safety of the children in the foster home.

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4. Operator Eligibility

The foster parents shall be of suitable age to meet the needs of a foster child in terms of physical strength, emotional maturity, and flexibility. Foster parents should not be more than 50 years older than the children to be placed in the home.

No member of the family or household shall have an illness or disability that would affect unfavorably his ability to use patience and understanding in caring for children. The foster family members shall be in good health and shall be free from communicable diseases and history of present and recurring mental disease as ascertained from current medical reports and/or consultation with family doctor.

5. Facilities

The foster boarding home must meet the requirements of the appropriate health and fire prevention officials with respect to sanitation, sewage disposal, water supply, protection against fire, and other hazards to the children's health and safety. Homes shall be open to inspection of the premises by health and fire prevention authorities at the time of licensing. Where local regulations are nonexistent or do not provide for inspection, the policies of the State Department of Health and State Fire Marshall shall prevail.

If a private well is the source of water supply, the water must be tested yearly and approved for bacteria and pollution count. The nitrate test must be included for homes caring for children under two years of age.

The minimum indoor play area per child should be 35 square feet. The minimum room size should be 80 square feet (except kitchenettes and bathrooms).

The minimum area of outdoor play space per child should be 75 square feet. It should be fenced if necessary.

Food must be provided the child in such quantities and varieties to satisfy not only his appetite but also his essential nutritional and dietary needs.

All formulas for infants under one year of age shall be prescribed by a physician.

6. Special Notes

For further details relating to health and safety the Sanitation Handbook (an Appendix to the Employee's Manual referenced above) should be consulted.

1. Licensing Agency and Contact

The Kansas Department of Social Welfare
State Office Building
Topeka, Kansas 66612

Contact: State Director of Social Welfare.

2. Legal Reference

Kansas Statutes Annotated, Sections 65-501 - 65-515.

Child Care Licensing Laws and General Regulations, (DH), 1967-

Kansas State Board of Health Regulations for Day Care Homes for Children, (DH), (Effective January 1, 1970).

The term boarding home for infants or children shall mean a house or other place conducted or maintained by anyone who advertises or holds himself out as conducting such a place as a boarding house or home for infants or children; or who has in his control or custody one or more infants under three years of age or children under sixteen years of age unattended by parent or guardians for the purpose of providing such children with food or lodging, or both, except children related to him by blood or marriage, or legal adoption; or any children's home, orphanage, day nursery or other institution; or association, organization or individual engaged in receiving, caring for, or finding homes for orphans, dependent or neglected children; or any receiving or detention home provided or maintained by, or receiving aid from any city or county or the state.

A day care home is a home in which care is given for less than 24 hours a day to a small number of children away from their own homes, who are not related to the persons giving care.

Licenses are issued by the State Department of Health with approval of the Division of Child Welfare Services, State Department of Social Welfare.

3. Child Eligibility

In a day care home where children under 2 years of age are given care, a license may be granted for a maximum of four children, two of whom may be under 2 years of age. In a day care home where natural and day care children are over 2 years of age, a license may be granted for a maximum of six children.

The family's own children under 6 years of age shall be a determining factor in establishing capacity.

The number of children specified on the license shall be the maximum number of day care children present in the home at any one time.

No child shall be admitted to a day care home, except in an emergency, before obtaining from his physician the prescribed statement that he is free from communicable disease and tuberculosis and that he has been immunized or is in the process of receiving immunization against smallpox, whooping cough, polio, diphtheria, tetanus, measles, and others as recommended by the State Department of Health. Only medical exemptions to immunization, signed by a licensed physician, are acceptable. Immunity may be considered effective as shown by the administration of booster injections following the original course of injections. A new medical statement shall be filed annually.

Children with severe handicaps shall not be accepted in day care homes maintained for normal children without approval of the Joint Licensing Committee.

4. Operator Eligibility

An applicant shall be qualified by temperament, emotional maturity, sound judgment, education, experience, and understanding of children to give care to children.

The applicant should be within the ages of 21 and 60 years at the time of the application. An exception to this requirement may be made where the applicant is found to be fully capable of operating a day care home.

Each member of the day care home and anyone having direct regular contact with the child placed in the home shall submit, prior to licensing, a certificate by a licensed physician, stating that he is free from any evidence of physical and mental illness which might conflict with the children's interest. For each family member this certificate shall state that he is free from communicable disease and tuberculosis, and that children under 16 are currently immunized. New health certificates shall be required prior to licensing and every three years thereafter. Immediately following a serious illness, injury or hospitalization, a written statement shall be submitted by the physician indicating the nature of the illness and extent of recovery. A serious illness of any member of the household shall be reported promptly by the day care mother to the parents of children in care and to the State Department of Health. Members of the household 60 years of age or over shall submit yearly health certificates to be used in the annual review for re-licensure.

Day care mothers shall when possible avail themselves of educational training opportunities prescribed by the state licensing agencies to increase their skills in working with children.

There shall be at least one adult in the day care home when children are being cared for. Children receiving day care shall not be left in the day care of anyone under sixteen years of age even for short periods of time.

5. Facilities

The day care home shall be in an area which is conducive to the health, safety, and welfare of the children in care.

The house shall meet all state and local legal requirements pertaining to building, zoning, fire protection, water supply and sewage disposal.

The public health nurse and the social worker shall visit the day care home for the purpose of determining if a license may be recommended, and for on-going consultation.

There shall be indoor play space available for children in care.

There shall be an outdoor area which will provide a safe play space for the children receiving care. If any part of the playground is adjacent to a busy street or other dangerous area, fencing shall be provided of such construction and extent that the children are protected. The yard shall be free from hazards such as old cisterns, or wells, broken glass, nails, and splintery boards.

There shall be a telephone located on the premises and readily available.

Facilities for napping shall be provided on or above ground level. Individual cots are recommended, but beds used by other members of the day care family may be used for the child's nap provided the child has his own sheet and cover. In no case shall there be more than two children on one double bed.

Any child showing symptoms of illness during the day shall be isolated from the other children until the parents can be notified and he can be returned to his home.

Children in the day care home shall receive a mid-morning and mid-afternoon snack such as fruit, fruit juice or milk. If children remain in the home for longer than four hours, a balanced meal shall be served. Meals served the children in the day care home shall provide at least one third of the child's total daily requirements of calories, proteins, minerals, and vitamins.

All formula for infants under one year of age shall be prescribed by a physician and prepared according to the method known as terminal sterilization. Pre-packaged, pre-sterilized formula in individual units is acceptable. All water for infants under six months of age shall be boiled.

6. Special Notes

Day care and 24-hour care for children will not be permitted in the same home. When night-time care is given, the home shall meet the applicable boarding home regulations.

An exception to the Regulations may be allowed by the Joint Licensing Committee where it is found that such exception would not violate the statutes nor discriminate against existing license holders.

Day Care Homes

KENTUCKY

1. Licensing Agency and Contact

Kentucky Department of Child Welfare, 403 Wapping Street,
Frankfort, Kentucky 40601.

Contact: Office of Special Services.

2. Legal Reference

Kentucky Revised Statutes Annotated, Sections 199.011, 199.892-199.896, 199.990.

Standards and Regulations for Day Care Centers and Day Care Homes, (DCW), 1967.

The day care home is designed to care for four but not more than six children in a family type situation for any part of the day or night. The operator's own preschool children must be included in the number for which the home is licensed.

(Full time boarding care of children is not permitted in a day care home.)

3. Child Eligibility

Only well children shall be cared for in a day care home.

If infants are cared for, acceptable standards of infant care must be maintained.

4. Operator Eligibility

The day care operator shall be of suitable age and temperament to care for children; shall have knowledge of the needs of children; shall be capable of handling an emergency situation promptly and intelligently. She shall be willing to attend training courses and workshops in order to increase her knowledge and understanding of child development.

The day care operator and all members of the household shall be in such physical and mental health as will not affect adversely either the health of the child or the quality and manner of his care. All day care personnel must obtain a statement from a physician, verifying satisfactory conditions of health and negative reports of VDRL and TB tests. All others who reside on premises must have a report of negative TB test. All members of the household shall obtain up-to-date medical reports. A tuberculin test is required annually thereafter, for day care operators and other adults coming in contact with the children.

Children under care shall at no time be left without competent adult supervision.

5. Facilities

The applicant should check with local authorities on zoning regulations for a day care facility at the proposed site.

An initial study of the facility will be conducted by the Department with cooperation of the Departments of Public Safety and Health. Subsequent inspections by these three agencies will be made before relicensing.

The home shall be so constructed that it is dry, properly heated, ventilated, lighted and cooled; that windows, doors, stoves, heaters, furnaces, pipes, and stairs are protected; that screening is provided; and that the floor is free from splinters and easily cleaned.

There shall be a minimum of 35 sq. ft. of space per child exclusive of kitchen and bathroom.

The yard shall be free from litter, glass, rubbish, and inflammable materials. There shall be adequate protection from hazards, including fencing if necessary.

The home shall be equipped with a telephone easily accessible to the rooms used by the children.

An individual (junior size) cot, crib or bed shall be provided for each child with a sheet and cover, which shall be laundered as needed and always upon change of occupancy.

Provisions shall be made for emergency medical care and for prompt isolation of any child showing signs of illness until arrangements can be made to take him home.

A wholesome meal shall be served at meal times and provisions made for mid-morning and mid-afternoon snacks.

6. Special Notes

LOUISIANA

The State's mandatory licensing act requires licensure for the provision of day care to five or more children. Any person interested in providing family day care to no more than four children may voluntarily apply for approval of the home under the Department of Public Welfare's Family Day Care Program.

1. Certifying Agency and Contact

Louisiana Department of Public Welfare, P. O. Box 44065,
Baton Rouge, Louisiana 70804.

Contact: Director, Division of Foster Care Services.

2. Legal Reference

Minimum Requirements for Approval of Family Day Care Homes, (DPW), 1968.

A family day care home is defined as a family home operated by a person who receives pay for the day time care of less than five children under 17 years of age who are not related to the operator and whose parents or guardians are not residents of the same house.

3. Child Eligibility

There shall be no more than four children for pay in a family day care home. Children accepted on an hourly basis must be considered in the total number of children in care. The maximum number of preschool aged children, including the family's own children, shall not exceed six. If there are as many as six children in the home, part-time help must be available to assist.

Only children whose physical and/or mental condition is such that they will be able to profit from the day care experience and whose presence will not be detrimental to the other children in the home should be accepted.

Before a child is admitted to a family day care home, there must be a personal interview with the parents, guardians or other responsible individuals.

Prior to admission, the following medical information must be submitted:

A statement from a physician regarding the child's health. This examination should be made within a two weeks' period prior to admission and yearly, thereafter.

A statement that the child has been immunized against smallpox, diphtheria, whooping cough, tetanus, poliomyelitis, or a statement signed by a physician as to why this was not accomplished and when it is to be done.

A statement regarding results of a tuberculin test made within the last six months.

A statement regarding the child's general health and a tuberculin test are required yearly. Immunization and vaccinations must be kept current.

4. Operator Eligibility

The day care mother shall be of suitable age and temperament to care for children. At least two satisfactory references shall attest to the fact that all members of the family maintain a good reputation in the community .

All family members and employees shall be free from physical or mental illness which might be detrimental to a child. Each member of the family shall be required to obtain, during the initial study (of the home), a statement from a physician regarding his general health and certifying that he is free from infectious and contagious diseases. The family's pre-school age children shall meet the same requirements as the children in care.

If any member of the household has been an inmate in a mental hospital, a home shall not be approved until there is sufficient evidence that the person has recovered and that his presence would not be harmful to the children.

Children in a family day care home should always be under the supervision of a competent adult. No person caring for children should be under eighteen years of age.

5. Facilities

Approval of Fire, Health, and Building Inspection departments must be secured where local ordinances apply.

Any changes in the home or its operation should be reported immediately to the Department of Public Welfare.

A representative from the Department of Public Welfare shall visit the home at reasonable times to determine if the requirements are being upheld and to investigate any complaints.

The family day care home shall have adequate space to provide for the number of children in care. Space must be available for indoor and outdoor play. The outdoor area must be safe.

Provisions must be made for children to sleep during the day.

A child should be isolated if he becomes ill during the day.

A hot, well-balanced, nourishing meal must be provided.

6. Special Notes

One type of service only shall be offered within the same facility; (i.e., day and night care cannot be considered within the same home).

1. Licensing Agency and Contact

The Division of Child and Family Services, Maine Department of Health and Welfare, Augusta, Maine 04330.

Contact: Day Care Licensing Supervisor.

2. Legal Reference

Maine Revised Statutes, Title 22, Section 3797.

Law Providing for the Licensing of Family Day Care Homes for Children and Rules and Regulations Pertaining thereto, (DHW), 1969.

No person, firm, corporation, or association shall conduct or maintain a boarding house or home for one or more children under 16 years of age, unattended by parents or guardian, or day care facilities for three or more children under 16 years of age, excepting children related to such persons by blood or marriage. . .without having in full force. . . a written license therefor from the Department.

The term "day care facility" shall be held to mean a house or other place conducted or maintained by anyone who advertises himself or holds himself out as providing care and protection for children under 16 years of age, unattended by parents or guardians, for any part of any day, except that any facility, the chief purpose of which is to provide education, shall not be considered to be a day care facility.

The term "family day care home" shall mean a private family home conducted or maintained by anyone who advertises himself or holds himself as providing care and protection for three to six children under 16 years of age, unattended by parents or guardians, for any part of a day, but less than 24 hours, excepting children related by blood, marriage, or adoption.

The term "day care parent" shall mean any person having the primary responsibility for the provision of day care services in the day care home.

3. Child Eligibility

Evidence must be presented that each child has had a recent physical examination prior to his acceptance for care, indicating that he is free from communicable and contagious diseases.

If all children being cared for are infancy through 6 years of age, no more than two children under 2 1/2 years of age, and a maximum of five children in total, including the family day care mother's own children under 8 years of age, may be cared for.

If all children being cared for are 2 1/2 years of age or older, the maximum number of children shall not exceed six, including the day care mother's own children under 8 years of age.

There must be a written agreement. . .between the parents and the day care mother regarding the hours the child is to be in care and the time and payment of fees. . .

4. Operator Eligibility

The day care mother must like and understand children and be capable of giving them protection and security.

All persons responsible for the children must be at least 18 years of age, must be competent, mature, and must have understanding and knowledge of the needs of young children.

If the day care mother is to care for the children alone, provision must be made for two responsible adults, 18 years or older, to be on call, so that one of them is available at all times in case of emergency.

An annual physical examination of each member of the day care family is required to insure that he or she is free from illness detrimental to a child, including evidence that there is no active tuberculosis or other communicable disease. No person having active tuberculosis, known to be a typhoid carrier, or who has a venereal disease in a contagious form shall be eligible for a license.

5. Facilities

Following receipt of application for a license to operate a family day care home, a representative of the Department of Health and Welfare will evaluate the adequacy of the physical plant in accordance with the applicable standards adopted by the Department of Health and Welfare.

No license to operate a family day care home at any location can be issued until such home passes a satisfactory inspection for fire safety and fire protection. Such an inspection must be made annually thereafter if the renewal license is to be issued to provide care for more than two children. All inspections shall be made under the provisions of Title 25, including section 2360, 2391, 2392, and 2452 of the revised statutes.

Water which is used for drinking and cooking purposes must be obtained from a satisfactory supply. If the supply is not from a municipal water system, or an already approved supply, it must meet the standards of the Division of Sanitary Engineering, Department of Health and Welfare. If a satisfactory supply cannot be provided, a license or renewal of a license cannot be issued.

The day care home should be in or near the neighborhood where the children live.

There must be sufficient space indoors and outdoors which is safe for the child to play, and sufficient play materials and equipment for indoor and outdoor activities to stimulate active and inactive play, suitable to the ages of the children.

Rooms used for sleeping must contain 50 square feet net per child.

Toilets must be kept in proper repair and in good sanitary condition.

Blankets, individual cots, or mats, or beds and bedding must be provided for each child. For infants under 18 months a crib with sides must be provided.

If the child becomes ill during the day, he must be isolated from the other children until arrangements can be made for his care elsewhere.

The day care mother must provide nourishing meals and snacks: there must be a morning snack, a hot lunch, and an afternoon snack for all children.

6. Special Notes

There must be evidence of liability insurance covering the facility to protect both the child and the day care mother in case of accident.

The State also licenses group day care homes which provide care for seven to 12 children under 16 years of age. Regulations governing these facilities are contained in "Law Providing for the Licensing of Group Day Care Homes and Rules and Regulations Pertaining thereto."

1971 amendment - An Act Permitting Indian Homes To Be Licensed as Foster Homes:

> Subsection 1 (Licensing) shall also apply to homes or day care facilities located upon Indian reservations. The department shall consider for licensure such facilities as are recommended by the Governor and tribal council of the reservations on which they are located.
> (Ch. 426, 1971 Reg. Sess.)

1. Licensing Agency and Contact

State Department of Social Services, 1315 St. Paul Street,
Baltimore, Maryland 21202.

Contact: Local Departments of Social Services.

2. Legal Reference

Annotated Code of Maryland 1957, Article 88A, Section 32A.

Standards for Family Day Care Licensing and the Family Day Care Law, (DPW). (Pamphlet #60).

No person, firm, corporation or agency may provide family day care for children in this State unless licensed therefor by the State Department of Social Services. "Family day care" is defined . . . as care given in lieu of parental care to from one to not more than four children under the age of sixteen, in a facility located outside of the home of the child's parents or legal guardian, for a part of a twenty-four hour day, if compensation is paid for the care. A "family day care home" is defined as the facility where the care is provided.

Exemptions from the licensing requirement include:

(1) A person related to the child by blood or marriage;

(2) In the counties, a person who is a close friend of the child's parents or legal guardian and is providing such care on an occasional basis for not more than four children regardless of any agreement between the parties as to payments; or

(3) A person who has received the care of the child from a child placement agency licensed by the State Department of Social Services or from a local department of social services;

(4) A person who is a close friend of the child's parents or legal guardian and is providing such care on an occasional basis.

Agencies seeking to place children in family day care as well as individuals seeking to provide care must be licensed.

(The summary below relates to licensure of individuals providing family day care.)

3. Child Eligibility

No child shall be admitted without a written certificate of medical examination completed within not more than three months prior to admission to the family day care home, unless such a certificate has been submitted on a previous admission within one year. If the health of the child is such that he may be in day care only if special circumstances or conditions are observed, the certificate shall so state. The certificate must be renewed annually.

Before admission to a family day care home, there shall be submitted for each child a physician's written statement of successful vaccination against smallpox or specific contraindication for smallpox vaccination; and of completion, or acceptable plan for completion, of vaccinations against diphtheria, whooping cough, tetanus, poliomyelitis, and measles, or specific contraindication. A booster dose shall be required prior to admission when, in the opinion of the physician, it is indicated.

4. Operator Eligibility

No license shall be issued to any person under the age of 21 or over the age of 70. A license issued to a person before the age of 70 shall automatically expire when the licensee reaches the age of 70.

The applicant must be in good physical and mental health and shall provide a written certificate of a physician, on a form provided by the Department, that the applicant is physically and mentally capable of providing day care to children, and documentation that the applicant is free from tuberculosis.

The resident members of the applicant's family, as well as all household help, must be in good mental and physical health and the applicant shall supply certificates of a physician that each is free from physical or mental illness or disability which would jeopardize the welfare of children and documentation that such persons are free from tuberculosis.

Prior to any renewal, the local welfare department shall require documentation that all members of the household are free from tuberculosis. (Renewal is required annually.)

The applicant must provide references.

5. Facilities

The home must conform to state and local health and sanitary requirements, and the facility must be approved in writing by the local health authority prior to the issuance of any license.

No license shall be issued unless . . . the local welfare department has made a study, which shall include an interview with the applicant and the day time adult resident members of the day care home and a visit to the day care home, and finds that all of the requirements of the law and rules and regulations have been complied with.

Prior to any renewal, the local welfare department shall . . . shall make whatever study or reevaluation as is necessary to determine that the licensee remains qualified for a license, and shall make a redetermination as to the number of children for which a license will be reissued.

The physical facilities of the home in which day care is to be provided must have adequate space for the daily activities of children.

There must be ample accessible space for outdoor activity free from conditions which may be dangerous to the life or health of children.

There must be a telephone in the home.

The facility must contain furniture and equipment, including adequate facilities for napping, which are comfortable, durable, safe and adapted to the ages of the children for whom the care is to be provided.

If a child has a rash, fever, or other symptoms of illness which occur during the time care is being provided, the parents or legal guardians should be notified immediately and the child should be isolated in a comfortable place until such time as his parents or legal guardians or other authorized person can call for him to return him home.

An adequate well-balanced diet shall be provided for each child in day care. If the child is in day care ten (10) hours or more a day, such diet shall consist of the total daily nutritional requirements of the child, and shall include: (1) an adequate breakfast, (2) a mid-morning feeding, (3) an adequate mid-day meal; (4) a mid-afternoon feeding, and (5) an adequate supper. If the child is in day care for less than ten (10) hours a day, the diet shall consist of a suitable proportion of the total daily food needs as determined by the hours the child is in day care.

In the event care is provided for an infant, the licensee shall follow the schedule and employ the formula or foods set forth in the written recommendations of a physician, which shall be submitted to the licensee by the parents or legal guardians.

6. Special Notes

Licenses to provide family day care shall be issued by the local county welfare department, in the county or Baltimore City, in which the day care is to be provided. Licenses shall be issued in the name of the State Department . . .

1. Licensing Agency and Contact

Division of Child Guardianship
Commonwealth of Massachusetts Department of Public Welfare
600 Washington Street
Boston, Massachusetts 02111

Contact: Joseph A. Gallant

2. Legal Reference

Massachusetts General Laws Annotated, Chapter 119, Section 8A.

Rules and Regulations for Providing Day Care for Children under the Provisions of Chapter 119, Section 8A of the General Laws, (DPW), 1966.

Any person who advertises that he provides day care for children in his home shall be deemed to maintain a commercial home. No person shall maintain a commercial home unless he has been issued a permit by the department, unless such day care is otherwise regulated by law.

3. Child Eligibility

The number and ages of children allowed in a home will depend upon the physical accomodations and space in the home; the physical strength, skill and capacity of the day care parent and her ability to deal with children of different ages; the availability of help, and the need for infants to have individualized care and shall not exceed the number approved by the Department.

Before admitting a child, the day care parent must have a dated statement signed by a duly licensed physician certifying that the child is currently ready for day care away from his own home, is free from communicable diseases, and that he has been satisfactorily immunized against smallpox, whooping cough, tetanus diphtheria, poliomyelitis and measles. If there is a medical reason why these immunizations are not to be done, the statement must include the reason for such exemption. This certificate must be renewed annually.

Children over three years of age, upon admission to the facility, who have been immunized against whooping cough, tetanus, and diphtheria more than two years prior to admission must receive a booster dose against these diseases prior to admission or immediately thereafter unless such prophylaxis is considered contra-indicated on medical grounds.

4. Operator Eligibility

The day care parent shall be at least 21 years of age and shall possess the required physical and mental health, energy, and flexibility to care for young children as attested to by a physician's statement that her health is adequate for the care of children.

There must be a dated statement signed by a duly licensed physician certifying that all the persons responsible for the care and supervision of the children in care, and members of the household, are free from physical or mental illness communicable disease. The statement must be renewed annually.

The suitability of the day care parent must be attested to by satisfactory references.

The children must have the constant supervision of an adult.

5. Facilities

The premises must conform with the applicable State Laws and local ordinances of health, sanitation and safety as determined by the Department.

If the water supply is from a well, it must be tested and approved by the Department of Public Health.

The facilities must be . . . reasonably accessible to the parent.

Adequate and suitable indoor and outdoor play space must be provided.

Rooms used by children must have adequate sunlight, proper lighting, heating and ventilation, and be located on floor levels having two exits. Where buildings are of construction known and described as Class 1 and Class 2 under Regulations of the Department of Public Safety, exit requirements may be determined by the Department.

Sleeping rooms for children must be above the ground level but not above the second floor unless there are two stairways and an adult is in attendance; must have natural light and ventilation with one or more windows, at least two feet of space separating each bed, cot or crib, with allowance for fifty square feet for each child and with no more than three children in one room.

The home must have a telephone for use in emergency situations.

Each child whose age and development require periods of sleep or rest must be provided with an individual bed, cot or crib, suitable to the needs of the individual child. . . For infants under 18 months, a crib with sides must be used. Family beds may be used, if adequate, clean covering is provided.

Special care as needed must be provided a child who becomes sick during the day. This care must include separate and comfortable bed space apart from the other children until arrangements are completed for his removal.

Well balanced meals, and mid-morning and mid-afternoon snacks must be planned for with the child's daily food needs in mind in order to complement the meals served in the child's own home.

6. Special Notes

The Department issues permits for day care homes serving one or two children. Pending legislation, if enacted, would expand this authority to include homes serving up to six children.

Homes caring for three or more children must be licensed by the Department of Public Health.

1. Licensing Agency and Contact

State of Michigan Department of Social Services
Lewis Cass Building
Lansing, Michigan 48913

2. Legal Reference

Michigan Compiled Laws Annotated, Sections 722.101 - 722.108.

Rules and Regulations for Inspection and Licensing Family Foster Homes, (DSS), 1969.

Any private home in which one or more minor children are given care and supervision, including a home where the child or children work, whether or not such child or children receive a consideration for such work, for periods of four or more hours a day for four or more days a week for two or more consecutive weeks, unattended by a parent or legal guardian, except children related to an adult member of the household by blood or marriage, shall be deemed to be a foster home.

3. Child Eligibility

The number of persons in the home at the time of application shall be taken into consideration and be a basis for fixing the number of children to be maintained in the home. The total number of children under 17 years of age in a home shall not exceed eight including foster children.

No home shall be licensed for more than four children, except when it is desirable for brothers and sisters of one family to be kept together, or when some other special need exists. An exception to this limitation may be made only by the Department of Social Services and is contingent upon a written report of the health department.

No home shall be licensed to provide care at any time for more than two infants under one year of age, including children of the foster parents. An exception may be granted only by the Department of Social Services and is contingent upon a written report of the health department.

4. Operator Eligibility

The foster family should be composed of a father and mother about the same age as parents bringing up their own children. The applicant shall not be over 65 years of age. Exception may be made at the discretion of the Department of Social Services.

The persons in charge of the foster home shall be of suitable temperament to care for children; shall understand the needs of children; shall be capable of handling an emergency situation properly and intelligently; and shall be willing to cooperate fully with the children's own parents. . .

All members of the household must be in such physical and mental health as will not affect adversely either the health of the child or the quality and manner of his care.

A home shall not be licensed in which any member of the household is mentally ill or on convalescent status from a mental hospital. Exception may be made at the discretion of the Department of Social Services.

5. Facilities

The home shall be so constructed, arranged, and maintained as to provide adequately for the health and safety of occupants. Representatives of the health department or fire marshal's office shall be admitted at any time for purpose of inspection.

Water supply and sewage disposal systems must meet the requirements of the local or State Health Department. Inspection may be required by the Department of Social Services.

Milk, cream and milk products shall come from sources licensed by the Michigan Department of Agriculture and shall be pasteurized.

If additional room is available or other changes warrant an increase in the license, the licensee . . . shall request the Michigan Social Welfare Department to increase the authorized number of children who may be boarded in the home.

The Department of Social Services shall investigate the activities and standards of care of the applicant before issuing a license; shall have the authority at any time to investigate and examine the conditions of any home in which a licensee receives and maintains children; shall have the authority at any time to examine and investigate the books and records of any licensee.

No room shall be used for living purposes where more than one-half the room height is below grade, except where the ceiling of such portion of a building is located five feet or more above grade for more than 25 percent of the perimeter measurement of the home area.

Play space, fenced if necessary, shall be available and free from hazards which might be dangerous to the life and health of the child.

Heating, ventilation, and light shall be sufficient to provide a comfortable airy atmosphere.

Any child showing symptoms of illness as manifested by running nose, watery eyes, flushed cheeks, rash, cough, apparent rise in temperature and vomiting shall be isolated promptly from other children in the home.

The daily diet shall be varied, adequate and wholesome. It shall include sufficient quantities of milk, eggs, meats, fruits, vegetables, whole grain cereals, and bread. Food for infants shall be subject to the direction of a competent physician, clinic or health department.

6. Special Notes

Day Care Homes

MINNESOTA*

1. Licensing Agency and Contact

Minnesota Department of Public Welfare, Centennial Office
Building, St. Paul, Minnesota 55101.

Contact: Day Care Section.

2. Legal Reference

Minnesota Statutes Annotated, Sections 257.081, 257.101 et seq.

Standards for Family Day Care Homes in Minnesota, (DPW), 1956, (Child Welfare Rule No. 2).

A facility for foster care means any facility which for gain or otherwise regularly provides one or more children, when unaccompanied by their parents, with a substitute for the care, food, lodging, training, education, supervision or treatment they need but which for any reason cannot be furnished by their parents in their homes. This includes but is not limited to the following: an institution, detention home, boarding home, free home, work home, children's home, day care home, day nursery, nursery school, or school for handicapped children. . .

Children means one or more persons under the age of 16 years or persons over 16 years of age if for reasons of mental retardation they still require the protection needed by persons under 16 years of age.

A "Family Day Care Home" is a facility for foster care supervision and training for children during part of a day (less than 24 hours) as a substitute for the care, supervision and training parents or guardians usually provide.

Excluded from licensure is day care provided only to children related to the family by blood or marriage, or day care provided children from only one family for less than 30 days.

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* See Part I - Day Care Centers for notes relating to 1971 amendments to the licensing law which also impact on day care homes. The Minnesota summary for day care homes reflects legal definitions and requirements in effect during the period covered by Day Care Survey 1970.

3. Child Eligibility

No family will be licensed for the care of more than five pre-school children, including own children under five years. No more than two of these may be under one year of age. Exceptions will be made upon recommendation of the supervising agency in instances of special skill and ability of foster parents to care for more than the number specified, subject to approval of the Commissioner of Public Welfare.

Each admission of a child to a licensed family day care home shall be subject to mutual agreement of parents and licensee.

The day care family must have on file a statement from a physician regarding the child's physical condition at the time of admission. This shall include a report of health problems requiring special care and attention, and if the family plans to accept, or has other children in care, a report of any infectious conditions which would place other children in jeopardy.

Children who are ill and in need of convalescent or nursing care must not be accepted unless there are no other children in the home. No family day care mother is expected to take a sick child into her home unless she especially agrees to care for such a child and provides for isolation of said child.

Child must not be kept in the day care home overnight unless special authorization is given by the supervising agency for a specific child (children) for a specific period of time because of an emergency situation.

4. Operator Eligibility

The family day care parents must be kind, responsible people who have a genuine liking for children and who will safeguard the child's interest.

The day care mother must be of suitable age and temperament to care for children and must be capable, in the judgment of the supervising agency, of handling an emergency situation promptly and intelligently.

All adults in the family day care household who will be in contact with the children must submit a statement from a physician certifying to their good health and freedom from infectious conditions and disabilities which would jeopardize the well-being of children. The examination must include Mantoux tests and, if positive, a chest x-ray given no longer than six months before date of application of license.

5. Facilities

The day care home must conform to local and state building codes as determined by the Commissioner upon the advice of the local fire inspector or State Fire Marshal.

The day care home must have adequate toilet and heating facilities, sewage disposal, sanitary water and milk supply, proper lighting and ventilation, as determined by the Commissioner in consultation with the Department of Health.

The licensed child-caring or child-placing agency, or the county welfare board, or any other duly authorized representative of the Commissioner recommending the license, is responsible for supervising the home and reviewing periodically the licensee's continued conformance to requirements and for a recommendation at least annually as to whether the home shall be licensed or relicensed.

Basements, if warm and dry, light and well-ventilated, may be used for short periods of active play, but must not be used for sleeping or eating.

If the home is located so that the play area is near dangerous or unprotected traffic areas or railroad tracks, the outdoor space must be enclosed by a fence.

Beds or cots used by members of the family must not be used for day care children unless separate bed clothing is provided for the child. All children under school age are expected to have a rest period during the day.

The day care mother shall have an approved plan for isolating a sick child from other children receiving care.

A well-balanced lunch must be served which includes at least one hot dish. If other meals are given because of special working hours of the parents, they must be well-balanced and nourishing.

6. Special Notes

MISSISSIPPI

Mississippi has no mandatory licensing requirements for family day care homes; however, the State Department of Public Welfare does conduct a program of voluntary certification of such facilities.

1. Certifying Agency and Contact

Division of Family and Children Services, Mississippi Department of Public Welfare, P. O. Box 4321, Fondren Station, 600 Woolfolk Building, Jackson, Mississippi 39216.

Contact: Day Care Supervisor.

2. Legal Reference

Rules and Regulations for Maintaining Minimum Standards of Family Day Care Homes for Children, (DPW), 1970.

Family Day Care is care of children in a family home by a day care mother for a part of the twenty-four hour day.

3. Child Eligibility

The number and age of children under care at one time shall be as follows:

Infancy through 6 years. No more than two children under 2 and no more than five in total, including the family day care mother's own children under 14 years old.

Three through 14 years. No more than six children, including the family day care mother's children under 14 years old.

Three through 14 years. Groups may range up to 12 children but the child-staff ratio never exceeds 6 to 1. No child under 3 should be in this type of care. When preschool children are cared for, the child-staff ratio should not exceed 5 to 1.

Each child must receive dental, medical, and other health evaluations appropriate to his age upon entering day care and subsequently at intervals appropriate to his age and state of health.

Accessibility of the home for regular attendance at school will have to be considered in terms of the children that the home will accept. The hours of operation and type of children to be cared for may make this provision unnecessary.

4. Operator Eligibility

It is imperative that the family day care mother have some knowledge of what children are like at different ages and that she be willing to learn more about child development and behavior. . . She should have good health and an abundance of energy to meet the needs of the children she keeps.

It is not necessary for there to be a father in the day care home.

The health of each member of the day care family shall be free from contagious or infectious disease and of such nature as to render the day care family physically and mentally capable of providing adequate care for children. The health of the day care family will be determined by an examination of a licensed physician.

In the use of a family day care home, there must always be provision for another adult on whom the family day care mother can call in case of an emergency or illness.

There are circumstances where it would be necessary to have on a regular basis two adults in a family day care home; for example, if one or more of the children were retarded, emotionally disturbed, or handicapped and needed more than usual care. (The use of volunteers is very appropriate in family day care. Volunteers may include older children who are often very successful in working with younger children when adequate supervision is provided.)

5. Facilities

Each home shall conform in building, safety, and sanitary requirements to the legal ordinances and regulations of the local community, county, and state.

After a Certificate of Approval has been granted, the County Department of Public Welfare, maintains a supervisory relationship to the family day care home in the interest of the protection of the child.

Each family day care home must have adequate indoor and outdoor space for children, appropriate to their ages, with separate rooms or areas for cooking, toilets, and other purposes.

The yard must have adequate protection from hazards, such as traffic, dangerous play equipment, deep pools, holes, broken glass, etc. If the play space is not fenced, such protection can be provided by adjacent building walls, thick hedges, etc.

If handicapped children are kept provisions should be made for meeting the particular needs of these children.

Pets such as cats, dogs, etc., must be properly vaccinated.

Provision must be made for safe and comfortable arrangements for naps for young children. It is not necessary to have a separate bedroom for each child receiving day care, however, there must be a room where they can sleep. Baby beds or cribs must be available for every child under one year of age.

Advance arrangements must be made for the care of a child who is injured or becomes ill, including isolation if necessary. . .

Adequate and nutritious meals and snacks suitable for the age group must be provided and prepared in a safe and sanitary manner. Infants under one year of age are to be fed according to a feeding schedule prescribed by a physician. All matters of special diet shall be under the supervision of a physician.

6. Special Notes

The family day care home may be open to care for children for no more than twelve (12) hours each day but no one child shall receive care in the home for more than ten (10) hours per day. It is desirable that a child remain in day care no more than eight (8) hours per day but it is sometimes necessary (because of the parent's necessity to travel considerable distance to employment, etc.) for the child to be in day care for more than eight hours.

Day Care Homes

MISSOURI

1. Licensing Agency and Contact

Division of Welfare, State Department of Public Health and Welfare, State Office Building, Jefferson City, Missouri.

2. Legal Reference

Vernon's Annotated Missouri Statutes, Sections 210.201 - 210.245.

Regulations and Standards for Licensed Family Day Care Homes and Group Day Care Homes, (DPHW), 1966.

"Day care home" or "day nursery" shall be held to mean a house or other place conducted or maintained by any person who advertises or holds himself out as providing care for more than four children during the daytime, for compensation or otherwise, except those operated by a school system or in connection with a business establishment as a convenience for its customers, and except boarding homes for children. . . (V.A.M.S. §210.201(2).

"Child" means and includes an individual who is under the age of seventeen. . .

"A family day care home" is a family home in which care is given to six children or less, not related to the day care operator, for any part of the 24 hour day. Where there are more than four such children, the home must qualify for State License.

"A group day care home" is day care given in a group in a family home to seven but no more than fifteen children, three years of age and older.

(The following summary relates only to the family day care home.)

3. Child Eligibility

The family day care home may take care of no more than six or less children not related to the day care operator. The number and ages of children of the day care operator will be taken into consideration. There shall be no more than two children under the age of 2 years.

Exceptions can be made regarding the maximum accepted by a family day care home when the total children accepted for care are members of a single family group.

Arrangements shall be made for a visit and interview with the parents before admission.

Each child shall have a physical examination before he is accepted for care and evidence presented that he is free of contagion or illness which could endanger other children. (There may be an occasional situation where the need for day care is urgent and a physician's statement cannot be obtained before care is needed. In such circumstances the medical statement must be provided no later than 30 days following admission.)

All children shall be immunized against diphtheria, poliomyelitis, whooping cough, tetanus and vaccinated against smallpox unless the child's physician gives reason for not immunizing or it is contrary to the family's religious belief. The medical report shall include a record of such immunizations.

4. Operator Eligibility

The day care mother shall be of suitable age and temperament to care for children; shall have knowledge of the needs of children; shall be capable of handling emergency situations promptly and intelligently; and shall be willing to cooperate with the person or agency responsible for placing the child in the home.

The day care mother shall be sufficiently healthy, physically and emotionally, to undertake the responsibility of child care.

All members of the family shall be in good health, as verified by report of physical examination and annually thereafter.

5. Facilities

The family day care home and premises shall conform to building requirements, zoning, sanitation and safety and fire prevention regulations of the locality. Certificates of compliance shall be requested and obtained. In localities where local inspections are not available, safety and fire prevention inspections will be made by the Bureau of Safety and Fire Prevention of the State Department of Public Health and Welfare.

The milk and water supply shall be approved.

Prior to issuing a license, the worker makes a study of the day care home to determine whether or not it is in compliance with the licensing requirements set forth by the Division of Welfare. The home study includes interviews with family members, an inspection of the home, and use of reference including the family physician. After issuance of certificate of license, a worker will continue to visit at regular intervals throughout the year.

There shall be adequate indoor and outdoor play area free from hazards.

The playground shall be protected by a suitable fence when indicated.

The home shall be equipped with a telephone unless this service cannot be provided by the telephone company.

An individual cot or bed shall be provided for each preschool child and cribs for infants.

An ill child shall be isolated from other children in a proper manner.

Children shall be served nutritious and well-balanced food, in sufficient quantities. Infants' formulas and special diets shall be prescribed by a physician.

6. Special Notes

The division of Welfare may designate . . . any instrumentality of any political subdivision of the state of Missouri or any child placing agency deemed by the Division of Welfare to be competent, to investigate and inspect licensees and applicants for a license.

Group day care homes are subject to compliance with the regulations governing operation of family day care homes, except with respect to certain modifications relating to admission age, child/staff ratio, and facilities and equipment.

1. Licensing Agency and Contact

Division of Social Services, Montana Department of Public Welfare, P. O. Box 1723, Helena, Montana 59601.

Contact: Licensing Specialist.

2. Legal Reference

Revised Codes of Montana 1947 Annotated, Sections 10-801 - 10-811.

State of Montana Regulations Relating to Licensing of Day Care Homes for Children.

Day Care Facility shall mean any person, group of persons, association or place, incorporated or unincorporated, that receives for care during the day or part of the day three or more children of separate families and continues this type for five or more consecutive weeks. It excludes the person who limits care to children who are related to him by blood or marriage or under his legal guardianship and all group facilities established chiefly for educational purposes.

Family day care home shall mean a family home that receives from three to six children of separate families for care during the day, or part of the day, for five or more consecutive weeks.

Child shall mean any person under 12 years of age.

3. Child Eligibility

There shall be no more than two children under two years of age and not more than six children in the home at any one time.

4. Operator Eligibility

The day care mother shall be a person of good character and habit, responsible and emotionally stable.

She must be willing to plan cooperatively with the child's family or the agency.

5. Facilities

In addition to regulations set forth in Fire Safety Standards for Day Care Centers (incorporating a section on day care homes) all day care facilities shall conform to the Life Safety Code (National Fire Protection Association), as adopted by the State Fire Marshal, as well as local fire and building codes.

When a day care home is located in a rural area, and the water supply is not from an approved public supply, periodic inspections and examinations of the water to determine its quality shall be made in the same manner as that made by the board of Health for public water supplies.

Upon receipt of the application for a day care facility, the State or county welfare department, shall, within a reasonable time, make an investigation to determine whether or not a license should be granted. It shall be the duty of the board of public welfare or their authorized representative to make periodic visits to all licensed day care facilities to insure that minimum standards are maintained . . .

A warm, dry, well-ventilated and lighted basement may be used.

Third stories in dwellings shall not be used for day-care purposes and shall be barricaded or locked to prevent entry by children.

Fire drills shall be held frequently to insure orderly evacuation. All required means of egress shall be used at areas drilled to test adequacy. Children unable to exit without assistance shall not be kept above the first floor.

There should be sufficient area for play.

If any part of the playground is adjacent to a highway, busy thoroughfare or other hazardous area, the play area shall be enclosed with fencing.

There shall be a telephone located on the premises and readily available for use in case of an emergency.

There shall be adequate napping facilities.

There shall be a suitable isolation room for isolation of children who are ill or suspected of having a communicable disease, where such child may be kept until arrangements can be made to send the child home.

A mid-morning and mid-afternoon snack and a well-balanced lunch should be provided.

6. Special Notes

An application for a license shall be made to the State Department of Public Welfare through the county department of public welfare in the county in which the applicant lives. The applicant shall take the initiative in contacting the representatives of the State Board of Health and the State Fire Marshal's office for inspections of the facility for day care.

1. Licensing Agency and Contact

Division of Children and Family Services, Nebraska Department of Public Welfare, 1526 K Street, Lincoln, Nebraska 68508.

Contact: Chief, Division of Children and Family Services.

2. Legal Reference

Nebraska Reissue Revised Statutes 1943, Sections 71-1901 - 71-1905; 71-901.

Minimum Standards for Licensing Day Care Homes Caring for Children, (DPW), 1967.[1]

Child care shall mean engaged in the business of exercising the care, supervision, custody or control over children under sixteen years of age, for compensation or hire, in lieu of the care or supervision normally exercised by parents in their own home but shall not include casual care at irregular intervals.

No person shall furnish, or offer to furnish, child care for two or more children from different families without having in full force and effect a written license issued by the department. . .

A day care home provides care to children in the operator's own home for compensation. The total number of children cannot exceed seven, provided there is sufficient space for this number, with not more than two children under 2 years of age, including the operator's own children or relatives' children under 13 years of age. This service may extend from 6:00 a.m. to 12 midnight, provided an adult is awake during the entire time the children are in the home.

3. Child Eligibility

In family day care homes not more than seven children under thirteen years of age shall receive care.

In family day care homes not more than two children under two years of age shall receive care. This includes the day care mother's own children under two years of age.

It is recommended that children under three years of age be placed in family day care homes rather than day care centers.

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[1] New regulations governing family day care home operation were approved in September 1971.

No child shall be accepted for day care unless immunizations are in effect for smallpox, tetanus, diphtheria, whooping cough and poliomyelitis. It is recommended that each child be inoculated against measles.

It is recommended that each child have a physical examination before entering a day care home.

4. Operator Eligibility

Applicants for a license to provide care to children in their homes shall not be more than 65 years of age nor less than 21 years of age.

All adult persons regularly in the home and working directly with the children shall have a licensed physician complete and sign the prescribed medical information form. This report establishes that the individual is free from communicable or infectious diseases at the time of examination and is physically able to care for children.[1] The medical examination is required each year or more frequently if the individual's medical report shows some medical complications or problems. The completed medical report is filed in the office of the Division of Children and Family Services.

Adults living in the home, but with no responsibility for working with the children, shall have a chest x-ray or a tuberculin test completed each year.

The day care mother should be a person sympathetic with and understanding of children's needs and problems. . .

She should have a good moral character as determined by home evaluation, references and by clearance with local police records.

She should be able to read and write and be able to manage her household affairs and keep records.

The mother shall not leave the children without providing adult (21 years or over) supervision. A plan for emergency help, in writing, shall be made with someone outside the home; a neighbor or a relative.

5. Facilities

All homes shall conform to state and local health and sanitation standards, and shall conform to state and local fire prevention standards.

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[1] The required medical report includes the results of a tuberculin test and chest x-ray, in the instance of a positive test, and the results of a blood serological test for syphilis.

The applicant is responsible for determining that all local zoning requirements and building codes and ordinances have been met.

Any building changes must be reported to the Division of Children and Family Services.

When the completed application form is received, requests for fire and sanitation inspections will be made by the Division of Children and Family Services.

The State Fire Marshall shall take responsibility for determining fire safety measures for each home providing care to children or by delegating this responsibility.

Compliance with sanitation standards shall be determined by the State Environmental Health Services. SEHS may delegate this responsibility to local health agencies.

A representative of the Division of Children and Family Services shall visit and study each home requesting an application to provide care for children. The Division of Children and Family Services may delegate this responsibility to licensed child-placing agencies or to County Divisions of public welfare. A representative shall visit on a continuing basis to assure that standards are being met.

A basement shall be used for play only if it:

> Has been approved by the fire inspector.
>
> Has two exits.
>
> Is warm, dry, well ventilated, and well lighted.
>
> Children shall have no access from the play area to other basement areas.

The second story shall be used for napping only if:

> It has been approved by the fire inspector.
>
> All upstairs windows are securely screened.
>
> An adult stays upstairs with the children.

There shall be 35 square feet of indoor floor space per child not including the bathroom, halls, kitchen and basement. If bedrooms are used for play space, the furnished area is not included in the space requirement.

A fenced play area shall be available when preschool children, 18 months to 6 years of age, are receiving care. The area shall be kept free of accident hazards. The recommended height for a fence is four feet. It is desirable that outdoor play space measure 72 square feet per child.

The home shall have a telephone.

Each child of pre-school age shall have a regularly scheduled nap time.

The day care mother shall be alert to indication of illness during the day and shall separate any child who appears ill from other children in the home.

A nourishing, hot, well-balanced lunch shall be provided for every child who is in the home for four hours or more and a mid-morning and after nap time snack, including milk or fruit juice shall be provided.

An after school snack shall be provided for school children.

6. Special Notes

The Standards assert that ordinary liability insurance does not protect children in day care. It is recommended that operators desiring this protection seek out a reliable insurance broker or agent to obtain suitable coverage for the type of child care they provide. It is also recommended that operators inquire whether a child is covered under a family health and accident insurance plan.

If the home provides transportation, it is recommended that suitable car liability insurance cover any child who may receive transportation for any purpose.

The State also licenses Day Care Nurseries for Infants which provide care for not more than four children under thirteen years of age, including the operator's children or relatives' children under thirteen years of age, from 6:00 a.m. to 12:00 midnight, providing an adult is awake during the time the children are in the home. All four children may be under two years of age. With the exceptions of the number of children that may be cared for and the number of children under two years of age for whom care may be provided, these facilities are subject to the regulations governing operation of day care homes.

The State permits simultaneous provision of boarding care and day care. When both services are provided to children, the standards for boarding care shall apply. Provision of dual services is subject to the following conditions:

> Six children may receive care. Not more than four children shall be boarded. The boarding parents' own children under thirteen years of age and relatives' children under thirteen years of age regularly in the home shall be included in this number.
>
> Not more than two children shall be under two years of age. This includes children of the day care parents or relatives' children regularly in the home under two years of age.

Responsibilities normally discharged by Licensing Representatives of the State Division of Children and Family Services may be delegated to members of county divisions of public welfare or to licensed child welfare agencies.

NEVADA

Family Day Care is defined as a facility where a person provides for compensation care of one to four unrelated children under sixteen years of age less than twenty-four hours a day.

Family Day Care Homes are not licensed.

1. Licensing Agency and Contact

Division of Welfare
New Hampshire Department of Health and Welfare
1 Pillsbury Street
Concord, New Hampshire 03301

Contact: Chief, Bureau of Child and Family Services.

2. Legal Reference

New Hampshire Revised Statutes Annotated 1955, Sections 170:2 et seq.

*Regulations and Standards for All Day Care Facilities, (DHW), 1968.

A child-caring agency is any person, firm, corporation or association who (1) operates or maintains a boarding home, foster home, or institution for children, or (2) receives for foster care, custody or control one or more children under the age of sixteen years unrelated by blood or marriage and separated from parent or guardian, except children committed by a court, or during part or all of the day regularly gives care to one or more unrelated children, under twelve years, whether or not the care is given for compensation, and whether or not the service is known as a family day care home, child care center, day nursery, day care agency, child development center, nursery school, kindergarten, play school, progressive school, or by any other name. The term child-caring agency does not include a bona fide summer camp, a hospital, a public school, a private school approved by the state board of education or a private home or other facility in which a child is left by his parent or guardian for temporary care for a period not exceeding thirty days in any calendar year. . .

A day care home is a private home caring for a limited number of children in a family setting, giving them the individual care and attention they could not receive in group care.

Any home which cares for one or more children under the age of 16 not related by blood or marriage for part or all of the day is required by law to have a license issued by the Division of Welfare.

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*Seperate edition on day care homes issued April 1971.

(The following summary reflects regulations in effect during the period covered by Day Care Survey 1970.)

3. Child Eligibility

Family day care also may be used for the young child who may be handicapped mentally, physically, or emotionally and who also needs the individualized attention of a substitute mother. In foster day care homes school-age children are accepted for those hours after school until their parents call and/or during the lunch hour.

The maximum number of children in a family day care home shall not exceed 6, including preschool children related to the day care mother. An exception may be made at the discretion of the Division when school age children are cared for after school for a short time or for a meal.

Because of the extra care and personal attention required for infants, the number of infants being cared for shall not exceed three. The total number for which the license is issued when two or three infants are cared for shall not exceed four.

Each child shall have had, preferably within two weeks of admission, a medical examination by a physician. The examination must be repeated annually. . . as long as the child remains in the home. (In case of infants a more frequent examination is recommended.)

The following inoculations and vaccinations should be begun before admission (unless there is a medical reason certified by a physician) and must be completed within three months from the date of admission: smallpox, whooping cough, poliomyelitis, diphtheria, typhoid, tetanus.

A child registered for day care shall not remain in the home overnight.

4. Operator Eligibility

The day care mother shall be at least 21 and no older than 65 at time of application for licensing or relicensing. She is at all times responsible for children in her care. She must be physically and mentally able to give good care to children and must be capable of handling any emergency situation promptly and intelligently.

Some plan shall be made to obtain additional adult help for times of emergency. At least one adult must be on hand to care for children at all times.

All members of the family shall be in good health. A medical report on a prescribed form must be made out by one's personal physician.

5. Facilities

Any day caring facility must adhere to local zoning laws regarding the care of any number of children.

The family day care home shall conform to the building, sanitation, and maintenance standards of the local Board of Health, whose approval shall be registered on the prescribed form accompanying application for a license.

The home shall conform to the fire and safety standards of the local fire department whose approval shall be registered on the prescribed form accompanying application for a license.

Where no more stringent laws and regulations affecting buildings are enforced locally, provisions relating to exits, stairways, and fire extinguishers specified in the standards for day care homes shall be deemed minimum requirements of licensing.

Water that is not from a tested public supply must be tested periodically through the State Health Department.

Applicants will be visited by a child welfare worker from the Division of Welfare who will evaluate the facility requesting a license.

There shall be adequate indoor and safe outdoor play space provided with play equipment to meet the developmental needs of the child.

All rooms used by children in day care homes shall have an adequate amount of sunlight. Heating, ventilation, and lighting facilities shall be adequate for the protection of the health of the children. During winter months a temperature of 68 to 70 degrees F. shall be maintained in all rooms occupied by children. Rooms shall be efficiently screened against flies, mosquitoes, and other insects.

There shall be a flush toilet for use by all day care children.

There shall be an individual bed or cot for each child who remains more than three hours a day in a home and for all infants.

Some plan shall be made whereby a child becoming ill can be isolated until his mother comes.

Each child cared for through the noon hour shall be given a well-balanced meal which provides from one-third to one-half the child's total daily nutritive requirements. In addition, a morning and afternoon snack of milk, fruit juice and crackers shall be given.

6. Special Notes

Consult Family Day Care Standards, (DHW), 1971, for revisions.

1971 Amendments:

A child-caring agency is any person, firm corporation or association who:

I. Operates or maintains a boarding home, foster home, or institution for children, or

II. Receives for foster care, custody or control one or more children under the age of sixteen years any one of which stands in a relationship to the operator of the child-caring agency more distant in the degrees of kinship, by affinity or consanguinity, than second cousin who are separated from their parent or guardian, except children committed by a court; or during part or all of the day regularly gives care to one or more children, any one of which stands in a relationship to the operator of the child-caring agency more distant in the degrees of kinship, by affinity or consanguinity, than second cousin, whether or not the care is given for compensation, and whether or not the service is known as a family day care home, child care center, day nursery, day care agency, child development center, nursery school, kindergarten, play school, progressive school, or by any other name. . .

In order for a license to be granted under the provisions of RSA 170:3, annually the child-caring or child-care agency shall present to the division of welfare, department of health and welfare, a certificate of good health from a duly licensed physician for each person or employee who comes in contact with children either directly or indirectly in a significant manner or for a significant time each day in the agency of that person, firm, corporation or association. Any person or employee having said contact with the children, but who came to the agency subsequent to the presentation of health certificates to the Division of Welfare shall be required to present said certificate to the Division of Welfare before assuming any contact with the children in said agency. The director of the Division of Welfare, Department of Health and Welfare, shall have the power to refuse to issue a license under the provisions of RSA 170:4 and the power to revoke a license under the provisions of RSA 170:5 for noncompliance with the provisions of this section.

The certificate required by the provisions of RSA 170:19 shall be a form approved by the Welfare Division, Department of Health and Welfare, and shall contain a statement signed by a duly licensed physician that he has found the individual to be free of communicable disease, and physical and mental impairment. In order to make this determination the physician shall, as a minimum, administer and interpret a tuberculin skin test or have a chest film made unless a test with negative results has been administered or a chest film made within ninety days of said certification. The results of any such tests shall be noted on said certificate.
(Laws 1971, 74:1, 74:2 - effective June 26, 1971)

1. Licensing Agency and Contact

New Jersey State Department of Health, John Fitch Plaza,
P. O. Box 1540, Trenton, New Jersey 08625.

Contact: Licensing Unit, Children's Boarding Homes.

2. Legal Reference

New Jersey Statutes Annotated, Section 26:1A-7.

New Jersey State Sanitary Code, Chapter 6.

Boarding homes shall not be operated or maintained by any person until the local Board of Health has given formal approval therefor by issuance of a license.

The term "boarding home" shall mean and include any privately owned dwelling or part of a dwelling or other place where one or more children under 16 years of age are placed or regularly received, for any period of time, unattended by parent, adult relative, or legal guardian, and foster parent care provided excepting those places which are operated, maintained, licensed, or regulated, or in which a child is placed, pursuant to statute by:

a) The State Board of Child Welfare

b) State Board of Education

c) Any aid society of a properly organized and accredited church or fraternal society organized for aid and relief to its members.

d) Any charitable society incorporated under the laws of this State having as one of its objects the prevention of cruelty to children or the care and protection of children.

3. Child Eligibility

Licenses shall not be issued for boarding more than four children under 16 years of age. The total number of children, including those of the owner, residing in a boarding home shall not exceed five under the age of 16 nor two children under the age of one year. The local Board of Health may permit an exception to this provision in those cases wherein it is considered desirable to keep members of one family together.

Within one month before admittance to a boarding home a child shall have been examined by a licensed physician for freedom from any disease or other condition which might endanger the health, welfare, or safety of other persons in the home.

All children prior to admission to a boarding home shall be immunized in conformity to the recommendations of the State Department of Health unless there exists medical contra-indication. If such contraindication exists, the local Board of Health may grant the exception.

Every child shall receive adequate health supervision suitable for his age, by a licensed physician. This supervision shall include periodical health examinations, administration of booster immunizations against diphtheria, whooping cough, tetanus, and smallpox, and such other diseases as require similar protection. Provision shall also be made for adequate dental supervision by a licensed dentist.

No child shall be accepted in a boarding home for boarding care until an agreement has been signed by the parent, guardian or other person responsible under the law for the care and custody of that child which shall include assumption of financial responsibility for services of the boarding home and services of physicians, surgeons or dentists as may be necessary for the child and required under the Sanitary Code.

4. Operator Eligibility

Application for license to operate or maintain a boarding home shall . . . contain such information as may be requested by the local board of health including the following data . . . names of two character references.

A certificate signed by a physician attesting to the mental and physical condition of the applicant and others residing and working in the household will be submitted with the application for license to operate or maintain a boarding home. The certificate will be based upon a medical examination and, for persons over 16 years of age, shall include (results of) an intradermal test for tuberculosis or a chest x-ray.

APPENDIX II

OPERATOR/STAFF ELIGIBILITY - OTHER CONSTRAINTS

STATE	DAY CARE CENTERS	DAY CARE HOMES
Alabama	If the day care center is located in a private home ... There must be no mentally dificient or seriously ill person in the household.	
Arizona	A member of a child care agency staff, or members of a household if the agency is conducted in a private home, shall not be addicted to drugs, a chronic alcoholic, known to have abused children or have been found guilty of immoral conduct involving children. The use of any personnel who is known to be addicted to drugs, a chronic alcoholic, known to have abused children, or has ever been found guilty or immoral conduct involving children may be cause for denial, revocation or suspension of license.	
California	Before issuing a license to any person to operate a boarding home, foster home, or other place maintained to receive and care for children, the department or the county or city inspection service, as the case may be, shall secure from the Federal Bureau of Investigation or State Bureau of Criminal Identification and Investigation a full criminal record to determine whether the applicant or his spouse has ever been convicted of a crime other than a minor traffic violation. If it is found that the applicant, or his spouse living in the same location has been so convicted, the application shall be denied, unless provided pursuant to the following paragraph.	(same)

OPERATOR/STAFF ELIGIBILITY - OTHER CONSTRAINTS

STATE	DAY CARE CENTERS	DAY CARE HOMES
California (continued)	After review of the record, the Director of Social Welfare, or the person in charge of the county or city inspection service, as the case may be, may exempt any applicant for a license from the provisions of this section, if the record reveals no conviction of a felony involving intentional bodily harm or a sex offense, and if the director or person in charge of the county or city inspection service believes the applicant to be of such good character as to justify issuance of a license. (W&IC 16018)	(same)
	The director, who is not the applicant for license, and the spouse of a director residing on the premises of the nursery, shall meet the same criminal record clearance requirements as those outlined for applicants...	
Colorado	The department may suspend, revoke, make probationary, or refuse to renew the license of any facility regulated and licensed under this article should the licensee: ...Be convicted of any offense involving moral turpitude, the record of such adjudication being conclusive evidence thereof; Be legally adjudicated insane or mentally incompetent, the record of such adjudication being conclusive evidence thereof; Use any narcotic or any alcoholic beverage to an extent or in a manner that such use impairs his ability to properly care for children... (C.R.S. 1963 §119-8-8)	(same)

OPERATOR/STAFF ELIGIBILITY - OTHER CONSTRAINTS

STATE	DAY CARE CENTERS	DAY CARE HOMES
Deleware		When any member of the family group is mentally incompetent or has been in a mental institution or prison, the Department shall verify through written statement with the physician or institution that his presence will not be injurious to the child.
Kansas		A day care home shall not receive a license when any member of the household has been convicted of a felony involving intentional bodily harm or has a history of sex deviation or commission of a sexual offense.
Louisiana	A previous conviction of any employee of any crime of moral turpitude, felony, or any violation of a criminal statute enacted for the protection of children shall constitute sufficient reason for the denial of a license. A subsequent conviction of or a subsequent determination of a previous conviction of the employee of any of these types of offenses shall constitute sufficient reason for the immediate revocation of a license already issued. A plea of guilty to any of the above mentioned crimes shall be considered the same as a conviction. If an employee has been an inmate of a mental hospital, a license shall not be granted until there is sufficient evidence that the person has recovered and is able to perform his duties adequately. A previous conviction of the director or operator or any member of the household of any crime of moral turpitude, felony, or any violation of a criminal statue enacted for the protection of children shall constitute sufficient reason for the denial of a	The applicant and all members of the household must be of good character. A previous conviction of the operator or any member of the household, or any employee, of any crime of moral turpitude, felony, or any violation of a criminal statute enacted for the protection of children shall constitute sufficient reason for not approving the home. A subsequent conviction of or a subsequent determination of a previous conviction of the operator or any member of the household, or any employee of any of these types of offenses shall constitute sufficient reason for the immediate revocation of approval if approval has already been given. A plea of guilty to any of the above mentioned crimes shall be considered the same as a conviction.

OPERATOR/STAFF ELIGIBILITY - OTHER CONSTRAINTS

STATE	DAY CARE CENTERS	DAY CARE HOMES
Louisiana (continued)	license. A subsequent conviction of or a subsequent determination of a previous conviction of the director or operator or any member of the household of any of these types of offenses shall constitute sufficient reason for the immediate revocation of a license already issued. A plea of guilty to any of the above mentioned crimes shall be considered the same as a conviction. If a director or operator or any member of the household has been an inmate of a mental hospital, a license shall not be granted until there is sufficient evidence that the person has recovered and is able to perform his duties adequately.	
Maryland		The applicant must not have been convicted of any crime involving moral turpitude.

OPERATOR/STAFF ELIGIBILITY - OTHER CONSTRAINTS

STATE	DAY CARE CENTERS	DAY CARE HOMES
Michigan	Whenever any agent, representative, or officer of a any firm, organization, corporation or association shall be convicted under authority of the licensing act, such conviction shall be sufficient ground for the revocation of license of any such firm, organization, corporation or association and the person so convicted shall not be granted a license or permitted to be connected directly or indirectly with any licensee for a period of 10 years thereafter. (M.S.A. 25.358(8))	(same)
		A home shall not be licensed in which any member of the household is mentally ill or on convalescent status from a mental hospital. Exception may be made at the discretion of the Department of Social Services.
		A home shall not be licensed in which any member of the household is an inmate of a penal or correctional institution or on parole or probation, without consultation with the State Department of Corrections.
New Mexico	Habitual drunkeness, addiction to narcotics, disorderly conduct or the violation of any law involving moral turpitude on the part of the owner, manager, operator or employees engaged in the operations and functions of a facility shall constitute grounds for withholding or revoking a State license to operate.	(same)
	Consuming alcoholic beverages on the premises or while on duty in a licensed facility by the owner, manager, operator or employee of a licensed facility shall constitute grounds for revoking the State license issued for the operation of said facility.	(same)

OPERATOR/STAFF ELIGIBILITY - OTHER CONSTRAINTS

STATE	DAY CARE CENTERS	DAY CARE HOMES
North Carolina (effective Jan. 1, 1972)	No staff shall be employed against whom there has been a valid complaint of child abuse or neglect. ...No person shall be an operator of nor be employed in a day-care facility who has been convicted of a crime involving child neglect, child abuse, or moral turpitude, or who is a habitually excessive user of alcohol or who illegally uses narcotic or other impairing drugs, or who is mentally retarded or mentally ill to an extent that may be injurious to children. (G.S. 110-91 (8))	No person shall be employed against whom there has been a valid complaint of child abuse or neglect.
Ohio	Neither the administrator nor any employee may be a person who has been convicted of child abuse or other crime involving moral turpitude.	
Oklahoma	Persons convicted of a morals charge, physical violence, or child abuse shall not be permitted to work with the children. This includes volunteers as well as paid staff.	
Puerto Rico	No person who has been convicted of a serious crime of any felony or misdeamenor of involving moral depravation or disorderly conduct or disturbing the peace, may be an employee of any center, including within this prohibition the director or person in charge.	

OPERATOR/STAFF ELIBIBILITY - OTHER CONSTRAINTS

STATE	DAY CARE CENTERS	DAY CARE HOMES
South Carolina		A home shall not be licensed in which any member of the household is an inmate of a penal or correctional institution or on parole or probation without consultation with the proper correctional or probation and parole authorities. A home shall not be licensed in which any member of the household is mentally ill or on convalescent status from a mental hospital without consultation with the proper authorities of the hospital.
Texas (1971 Regulations)	No adult who is mentally ill or severely mentally retarded or whose behavior reflects the use of alcohol or the abuse of drugs shall be allowed on the premises of the day care center.	
Wyoming	No applicant or staff member shall have been convicted of a felony.	(same)

5. Facilities

Boarding homes shall conform to all state and municipal laws and regulations including those relating to housing, fire, potable water and sewage disposal.

Upon receipt of an application for a license, an investigation shall be conducted to determine whether the boarding home, its facilities and accommodations are in conformity with the Sanitary Code and that its operation or maintenance by the applicant, his family or assistants will permit adequate and proper foster parent care of its children boarders. All rooms of Boarding Homes and premises on which they are conducted shall be opened to inspection by a representative of the local Board of Health or the State Department of Health at all reasonable hours.

Boarding homes shall provide both adequate and proper space for indoor and outdoor play of boarding children.

Boarding homes and their grounds shall be maintained and equipped in such a manner that their use shall not be hazardous to children and constant vigilance shall be exercised by the person to whom a license is issued under the Sanitary Code to prevent accidents.

Boarding homes shall be maintained at a temperature of not less than 68 degrees throughout the year.

Physical properties and accommodations of rooms assigned to children for sleeping purposes shall be . . . equipped with a separate bed or crib, mattress, mattress cover, blanket, clean bed linens for each child assigned to such rooms. Pillows shall be provided for all children except young infants. A crib shall be provided for all infants below the age of two. A cot may be provided for a child, above the age of two only when he or she is a day boarder not staying overnight. Cots, when so provided, shall be equipped with at least a sheet, blanket or other cover appropriate for the room temperature.

Food supplied to boarding children shall be served at proper intervals, adequately balanced and in sufficient amount and variety to meet their nutritional needs. Only milk which has been pasteurized may be offered to boarding children or used in the preparation of their food.

All infant feeding formulas shall be as prescribed by a licensed physician and their preparation shall be as he instructs.

6. Special Notes

The Bureau of Children Services, State Department of Institutions and Agencies, approves (i.e., certifies) day care homes for eligibility to receive federal funds in accordance with FIDCR.

Day Care Homes

NEW MEXICO

1. Licensing Agency

New Mexico Department of Health and Social Services,
P. O. Box 2348, Santa Fe, New Mexico 87501.

2. Legal Reference

New Mexico Statutes Annotated 1953, Section 12-1-3 et seq.

Rules, Regulations and Standards for Foster Homes, (DHSS), 1964. (N. Mex. Department of Public Health Licensing Regulations - Part 8).

Definitions, Legislation and Administration Procedures Pertaining to Licensing of . . . Child Care Centers . . . Foster Homes, (DHSS), 1964. (N. Mex. Department of Public Health Licensing Regulations - Part 1).

A foster home shall mean a private family home with adults in charge acting as parents, and providing daily care and necessary experiences and relationships of normal family life to children unrelated to the "parents" of the home.

A family day care home as established by the New Mexico Department of Public Welfare is a foster home in which a child is placed for less than 24-hour care.

3. Child Eligibility

The number of children under care at any one time shall be limited to not more than six children under 18 years of age, including all children in the home. An exception may be made in order to keep a large family of children who are brothers and sisters together.

No more than two infants under 2 years of age, including those of the foster parents, shall be cared for in one foster home. If two infants are in one home, not more than one other child under the age of 6 shall be admitted. The only exception is in unusual situations in which there are more than the usual number of adults to care for the children, but in any case there shall not be more than two infants to be cared for by one mother person.

Under no circumstances shall foster homes accept children who are known to have or who are suspected of having any communicable disease.

Subject to the advice of the child's physician, it is recommended that all children be immunized against diphtheria, whooping cough, tetanus, smallpox and poliomyelitis. All children of legal school age shall be immunized according to State law.

It is required that the complete record for each child include an immunization record, a record of communicable diseases the child has had, and a certification of physical examination.

4. Operator Eligibility

The foster family must be willing to conform to the laws and regulations regarding school attendance, child labor, and public health.

The foster family must have an understanding of the problems of childhood and a sympathy for them. They should have a wholesome attitude toward and an intelligent understanding of habit training, discipline, health, sex education and various experiences that may have touched a child and on which he may need assistance and guidance.

All initial applications for license shall give character references and be duly-notarized. Foster homes may be exempt from this requirement at the discretion of the licensing agency.

5. Facilities

All care given and services provided shall comply with codes and acceptable professional and ethical standards, provisions of laws, ordinances, rules and regulations, such as those which provide for involuntary confinement, fire protection, registration of deaths, reporting of communicable diseases.

The heating system, piping, boilers and ventilation shall be furnished, installed and maintained to meet all requirements of State and local codes.

The installation of electrical work and equipment shall comply with State and local codes and the National Electrical Code.

All water supply piping shall be installed and maintained in compliance with the State and local plumbing codes.

All plumbing, drainage and other arrangements for the disposal of wastes shall conform to State and local plumbing codes.

When the water supply is not obtained from a public supply system a certificate of approval for such water supply shall be obtained from the Department and water samples shall be submitted to the State Laboratory for bacterial examination with such frequency as deemed necessary by the Department.

No system of water supply shall be installed nor shall any existing system be altered or extended until complete plans and specifications for such proposed change have been submitted to and approved by the Department or its authorized local agent.

No system of plumbing, sewage, garbage or refuse disposal shall be installed, nor shall any existing system be altered or extended, until complete plans and specifications for the installation, alteration or extension have been submitted to and approved by the Department or its authorized local agent.

Rooms used by children chall be so located that supervision will be given to each child . . . Rooms in detached buildings are approvable only with express concurrence of the child placement Agency. . .

All indoor and outdoor areas used by children shall be free of litter, sharp objects and other conditions hazardous to children.

There shall be sufficient outdoor play space. Outdoor play areas and yards used by children shall be properly fenced as necessary to provide protection from traffic and other hazards.

Children under 2 years of age shall be cared for in rooms separate from those used by children over 2 years of age.

Toilet and bathing facilities shall be provided.

There shall be readily available a telephone to summon help in case of fire or other emergency.

Animals, birds and other pets may be allowed only if they are in good health, present no problem of sanitation and are of a temperament non-hazardous or frightening to children. Dogs shall have annual rabies vaccination.

There shall be provided a separate crib for each child under 2 years of age and waterproof covering shall be provided to protect mattresses.

It is desirable that each child have a separate bed in a room used primarily for sleeping purposes. However, two sisters or two brothers may share a double bed, except that a boy and a girl past five years of age shall not share the same bed or room.

There shall be provided at least three meals a day which meet the child's optimal nutritional requirements. Additional between meal nourishment shall be provided according to the child's individual needs.

Infant formula shall be only that prescribed and directed by the infant's physician.

All milk used shall be Grade "A" pasteurized, where available, or be of equivalent safety.

6. Special Notes

A substitute for any licensing Regulation may be offered by any applicant to the Licensing Division and if found to be satisfactory in the sense that the substitute substantially complies with the basic purpose for the Regulation in question, it shall be submitted to the Board for their approval.

1. Licensing Agency and Contact

New York Department of Social Services, 1450 Western Avenue, Albany, New York 12203.

Contact: Senior Social Services Consultant.

2. Legal Reference

Social Services Law, Section 390.

Family Day Care Homes, 1968.

Day care of children shall mean care provided for three or more children away from their own homes for less than 24 hours per day in a family home which is operated for such purpose, for compensation or otherwise for more than five hours per week.

Day care in a family home shall mean day care of not more than six children provided in an individual's own home.

The requirements of Section 390 shall not apply to care given (a) in a city wholly including one or more counties, except (family home) day care provided therein under certificates issued pursuant to subdivisions two through ten, or (b) by parents or relatives within the second degree of the parents of the child or children.

3. Child Eligibility

No more than six children may be permitted to be cared for by the family day care home at any one time. Children of the operator of a family home, who are under 13 years of age and present in the home, shall be deemed children in the care of such home.

Although not reiterated in the rules governing operation of homes, there are statutory exceptions to the ceiling of six.

> . . . Where the social services official shall find that such other children are over the age of six years and are enrolled in a school or other educational or recreational facility requiring the attendance of such

> other children during the approximate hours at which home care would be rendered then the presence of such other children in the home shall not reduce the number of children which may be cared for. . .
>
> Such certificate (or permit) may permit the care of more than six brothers and/or sisters of the same family.

An enforcement clause incorporated in the rules however, does permit some flexibility in the application of prescribed requirements. (See Special Notes.)

No infant less than 8 weeks of age shall be admitted for care.

No more than two children under the age of 2 years shall be cared for at any one time.

No child shall be accepted for care unless such child has received a complete medical examination by a physician within 30 days prior to admission, and a written statement signed by the examining physician has been furnished to the family day care home giving assurance that the child:

(1) is free from contagious or communicable disease;

(2) has received prophylaxis against smallpox, diphtheria, tetanus, pertussis, poliomyelitis and measles, when there are no medical contraindications.

It is further provided that the child's physical examination include laboratory tests as indicated, a dental examination and an initial appraisal of his health and development. . .

4. Operator Eligibility

A permit or certificate shall be issued for day care in a family home only when the applicant and all members of the household enjoy good health and are of good character, habits and reputation; the applicant's fitness to care for children is attested by satisfactory references. . .

The applicant must give satisfactory evidence of . . . good physical health, with no disqualifying mental or emotional handicaps and freedom from communicable disease. Physical fitness shall be shown by a certificate from a physician at the time of application.

No person under 18 years of age shall be left in sole charge of the children at any time.

5. Facilities

Each family day care home shall comply with the requirements of state and local departments of health. Adequate and safe water supply and sewage facilities shall be provided and shall comply with state and local laws.

Before any . . . certificate shall be issued by an authorized agency, it shall visit and inspect the premises for which a certificate is requested to ascertain compliance with applicable requirements.

Children shall be cared for only on such floors as are provided with readily accessible alternate means of egress which are remote from each other. All rooms to be occupied by children shall be above ground level and shall have windows.

All rooms, outdoor play space, equipment, supplies and furnishings shall be kept clean and sanitary at all times. The premises shall be kept free from dampness, odors, vermin and the accumulation of trash.

Heating, ventilating and lighting facilities shall be adequate for protection of the health of the children. A temperature of at least 68 degrees shall be maintained in all rooms to be occupied by children. Rooms shall be effectively screened against insects.

There shall be an adequate number of fire extinguishers which shall be tested and maintained in good working condition.

Any pet or animal on the premises, indoors or outdoors, shall be in good health properly cared for, and known to be a friendly, suitable pet for children.

The family day care home shall provide plentiful and nutritious meals and snacks which shall be prepared in a safe and sanitary manner and served at appropriate intervals. If a child is in the home for more than four hours per day, he shall be served a hot meal which shall supply at least one-third of the child's daily food requirements. If a child is in the home for more than ten hours per day, he shall be served two meals, of which at least one other than breakfast shall be hot, which shall supply at least two thirds of the child's daily food requirements.

Where infants formula is required, it shall be prepared and provided by the parent or other responsible person in the infant's home.

6. Special Notes

Family home day care may be provided under the terms of either a permit issued by the State Department of Social Services or a certificate issued by an authorized agency from which an applicant desires to receive children. New York City, not subject to State permit requirements, licenses day care homes under the City's Health Code.

Family day care homes operating under a certificate are subject to the Social Services provisions of the rules governing day care homes.

Family day care home rules also provide for flexibility in enforcement.

> If in the enforcement of this Part, however, the department finds that to require a particular family day care home to comply literally with one or more of these rules, or parts thereof, will result in undue hardship, and if the family day care home is in substantial compliance with these rules and the applicable regulations of the department and their general purpose and intent and, in addition, it complies with such specific condition or conditions as the department may deem necessary for the protection of the health, safety and welfare of children, the department may determine that such family day care home is in compliance with this Part. . .

1971 amendments to the licensing law place the day care home rulemaking responsibility in the State Department of Social Services. This function formerly was performed by the State Board of Social Welfare.

Day Care Homes

NORTH CAROLINA
(Voluntary Licensing)

1. Licensing Agency and Contact

Family and Children's Services Section, State Department of Social Services, Raleigh, North Carolina.

Contact: Day Care Unit.

2. Legal Reference

Family Day Care Home (5 or Less Children) - Standards and Requirements for License, (DSS), Rev. July 1970. (First Edition-Limited Distribution).

The family day care home provides day care for five or fewer children. It is the smallest facility licensed by the State Department of Social Services. It offers the most informal and the most flexible program for child care. Here children, generally of varying ages, find care for some part of the twenty-four hour day in the home of another family not unlike their own, and ofter within their own neighborhood. . .

The family day care home may be operated by an individual on a private basis or as an agency day care service under the supervision or auspices of a county department of social services or another social agency.

(The summary below reflects requirements for licensure at Level I, the standards below which care is not acceptable.)

3. Child Eligibility

A day care mother must decide for what ages of children she prefers to care. This decision is defined as the licensing "age range," and all children enrolled in care must be within this age range.

The total number of children in the home shall not exceed five. This number shall include all preschool children of the day care mother and her older children falling within the licensing age range.

Prior to enrollment the parent shall provide a certificate from a physician which shows the child has had or is receiving immunization recommended for his age. The immunization certificate shall be kept current.

4. Operator Eligibility

The day care mother shall be at least 21 years of age; she shall demonstrate mature judgment and have the energy and flexibility necessary to care for young children.

The day care mother shall demonstrate emotional and mental stability.

The speech of the day care mother shall be free of impairment and she shall be able to communicate coherently with other adults and children.

Her suitability will be attested to by the written statement of three satisfactory references.

Any person employed by the day care mother to assist in the care of children shall have the same personal qualifications as those required of the day care mother.

A health certificate or medical statement verifying freedom from communicable disease shall be required for each member of the day care family and such certificates or statements shall be renewed annually.

Any person employed to assist with care of children in the home shall meet the same health requirements as the day care mother.

Each day care mother must identify another responsible adult who, in case of emergencies, is available to assist in the home.

5. Facilities

The family day care home shall meet all local ordinances.

Initial inspection of the day care home shall be made by the local building inspection department. Where no building inspection department exists, the local fire department shall make the required building inspection report.

Initial inspection of the day care home shall be made by the local fire department. . . Fire safety inspections shall be made at least annually thereafter. . .

Initial inspection of the day care home shall be made by the local health department. . . Sanitation inspections shall be made at least annually thereafter. . .

The Day Care Unit (DSS) will conduct a pre-licensing study prior to formal application for licensure, and an application study after receipt of the application. The latter evaluation will determine whether the standards have been met and if so, at what level a license can be recommended. Continuing evaluation of a licensed facility will include periodic visits during the year by the Licensing Specialist.

The home must provide adequate indoor and outdoor space for daily activities of young children and present no hazards to their health and safety.

Outdoor play area shall be on premises or easily accessible. For each child at least 75 square feet shall be available for outdoor activities except where local ordinances require space in excess of this amount. The outdoor play area shall be well defined by fence, natural barrier, hedge, to make it safe from traffic and other hazards except where local ordinances require that play areas be fenced.

An individual bed, crib, cot, or mat (at least two inches thick) shall be provided for each child's rest or sleep. If the child is in the family day care home during his regular nighttime hours, (only as a part of his twenty-four hour day) he shall be provided an individual bed, crib, or firm cot fitted with a mattress and appropriate linens. Beds used by the day care family shall not be used by children in care. If mats are used they shall be of a washable waterproof material and shall be folded so that the floor side does not contact the side slept on.

Children under 18 months shall rest or sleep in individual cribs with side rails for protection.

A nutritious, well-balanced meal shall be served to each child in care for four or more hours. If the child continues in care nine or more hours, two meals shall be served. Each meal shall be planned to meet 1/3 - 1/2 of child's daily food needs. Nutritious snacks shall be provided in the morning and afternoon but at least 1 1/2 hours before scheduled meals.

Children with health problems requiring special diets shall be accepted for care only if foods can be provided in the amount and variety ordered by the physician.

The parent shall provide formula for the infant in care and either the parent or the day care mother shall provide supplemental food with instructions provided by the child's doctor.

6. Special Notes

If transportation is provided by the home, children shall be protected by liability insurance.

The Department also issues licenses for small group homes which provides care for six to 15 children.

Day care homes will not be subject to licensure under the State's mandatory licensing law (effective January 1, 1972); however, such facilities will be required to register in accordance with a plan for such registration.

Day Care Homes

NORTH DAKOTA

1. Licensing Agency

Public Welfare Board of North Dakota, Bismark, North Dakota 58501.

2. Legal Reference

North Dakota Century Code, Sections 50-11-01 - 50-11-06, 50-11-06.6 - 50-11-10.

Day Care, Sept. 1970. (*In* Social Work Manual, Chapter 425).

Any person, partnership, voluntary association, or corporation owning or operating a home or institution receiving for day care or full-time foster family care for children or otherwise during the calendar year, one or more children under the age of eighteen years shall procure annually from the public welfare board a license to do so. The provisions of this section shall not apply when the children received by such person are related to him by blood or marriage, nor shall it apply to any home or institution under the management and control of the state.

A family day care home is a family home which provides care for any unrelated child up to a maximum of six children on a regular basis.

3. Child Eligibility

From infancy through six years there may be no more than two children under the age of two and no more than five in total, including the day care mother's own children under fourteen years, who are physically in the home during the hours day care is given.

If there is a reliable helper in the home, there may be up to five children regardless of age.

From ages three to fourteen years, there may be no more than six children in total, including the day care mother's own children under fourteen years, who are physically in the home during the hours day care is given. Provision must be made for another adult on whom the family day care mother can call in case of an emergency or illness.

If one or more of the children were retarded, emotionally disturbed, or handicapped and needed more than usual care, it would be necessary to have fewer children cared for by one adult or by two adults on a regular basis. The ratio of adult to child requiring more than usual care must not exceed one to four.

Before he enters day care, each child must have the immunizations prescribed by the family physician unless objected to for religious reasons.

The day care mother must have a statement from a physician pertaining to the health and immunizations of each child.

If day care is purchased by the county, the child must have medical and dental examinations before entering day care and annually thereafter, unless more frequent examinations are indicated.

4. Operator Eligibility

The day care mother must be resourceful, dependable, consistent, flexible, and willing to learn. She must be of a suitable age to have the vitality to tolerate children's activities and to work constructively with the child's energetic responses. This is to be verified by the licensing study and reference letters.

The day care mother must not have any health problem which would be detrimental to the care of the child. This is to be verified by the prescribed medical report form. A physical examination shall be required for other family members only if there are indications of a health problem in the home.

The use of volunteers is very appropriate in family day care. Volunteers may include older children who are often very successful in working with younger children when under the supervision of an adult.

5. Facilities

County welfare boards will take into consideration the stat and local health, fire, and sanitation regulations.

The water supply must be from an approved municipal system, or, if from some other source, a sample must be tested and approved by the Health Department.

Milk served must be pasteurized or obtained from a dairy approved by the Dairy Commissioner or Health Department.

The county caseworker shall make a study of the facility . . . The licensing study shall be forwarded to the area social service center with recommendations concerning licensing. The day care facility should be reevaluated semi-annually, with recommendations concerning relicensing sent to the area social service center before the date the license expires.

Generally trailer homes or basement and upstairs apartments are unsatisfactory due to lack of space, fire hazards, and inconvenient exits. County welfare board staff should not seek out such homes for day care, but if parents needing day care for their children have already selected such a home, it may be given consideration provided there is particular consideration given to possible fire hazards and the situation is otherwise desirable for day care of the specific child.

A basement room, if warm, dry, light, and well ventilated, may be used for a portion of the day provided there is an adult present at all times and there are adequate precautions taken for the safety of the children. There must be a safety rail on the stairway; the heating unit and any potentially dangerous tools or equipment must be closed off from the play area. There must be an emergency exit from the basement. A basement window would be sufficient if it is easily opened and of sufficient size and suitable location for a child to crawl through.

There must be a minimum of 35 square feet of play space per child indoors and a minimum of 75 square feet per child of play space outdoors.

There should be a telephone in a convenient location within the home.

Satisfactory arrangements for naps must be provided for preschool children. Individual cots are recommended, but beds used by other members of the family may be used for the child's nap provided the child has his own bed linens and does not share the bed with an unrelated child.

If a child is sick, he must be isolated from the other children in a quiet area equipped with a cot or bed to reduce the risk of infection to others. The mother, or some other specified person, must be notified and arrangements must be made for his care elsewhere if there are other children in the home.

The familiity must provide adequate and nutritious meals and snacks prepared in a safe and sanitary manner. A mid-morning and afternoon snack should consist of fruit, raw vegetables, cheese wedges, crackers or cookies with milk or fruit juice. A noon lunch should consist of at least one of the following: meat, fish, poultry, eggs, cheese, dried peas, or dried beans; and a raw and cooked vegetable; bread and butter or margarine; fruit or other dessert; and milk. One of the vegetables and/or fruits should be a Vitamin C rich food. Children whose period of care covers two normal meal hours must be provided two full meals at the day care facility.

6. Special Notes

The applicant should be encouraged to discuss with her insurance agent liability and fire insurance covering the day care operation.

Any person wishing to operate a day care facility must request licensing from the county welfare board. . .

In addition to offering day care related social services, the county welfare board has the further responsibility of carrying on a program of community education within the county to inform residents of the law requiring licensing of day care, the benefits derived from licensing, and the procedure to follow if licensing is desired. If there are homes or centers known by the county welfare board to providing day care, the county welfare board must inform the operators of the law providing for licensing.

The State also licenses group day care homes. A group day care home is a family home which provides care for a minimum of six and a maximum of twelve unrelated children on a regular basis. Standards for these facilities are also included in Chapter 425 of the Social Work Manual (section [illegible]).

1. Approving Agency and Contact

Day Care Services, Division of Welfare Services, Ohio
Department of Public Welfare, Oak and 9th Streets,
Columbus, Ohio 43215.

Contact: Chief, Bureau of Day Care Services

2. Legal Reference

Requirements for Approval of Family Day Care Homes (DPW), 9/15/70. (DCS 33).

Revised Approval Procedures - Family Day Care Homes and In-Own-Home Day Care, (DPW), Sept. 15, 1970. (Day Care Services Letter No. 4).

"Family Day Care Home" means a home which is not subject to licensing as a "Day Care Center" because it serves fewer than five children other than the Day Care Mother's own children.

A day care mother is a person who provides day care services to children who come to her home for care.

The State requirements for "approval" pertain to family day care homes in which services are purchased by the county welfare agency. The approval procedure covers the following programs:

a) Work Incentive Program.

b) Day Care Subsidy for Low Income Families (Ohio Senate Bill 229).

c) AFDC vendor payments for child care.

d) Any day care facility funded through Federal Child Welfare Services Funds.[1/]

[1/] The only time the county welfare department does not have approval responsibility is when federal child welfare services funds are used to reimburse a county children's services board (or the county welfare department when a children's services unit is part of an integrated agency) for day care placement of children under supervision. Then, evaluation and approval is the responsibility of the supervising agency, which is either the children's services board or a children's services unit of an integrated agency.

3. Child Eligibility

A family day care home serves no more than four children not related to the day care mother.

The county agency must have on file a statement signed by a licensed physician certifying that each child entering the day care home has been examined and found to be free from communicable diseases, including tuberculosis, and that he has had the immunization required for admission to school. (The immunization requirement can be waived upon a parent's written request for exemption.)

4. Operator Eligibility

The day care mother must be 21 years of age or older.

The day care mother shall have training or experience in caring for children.

The day care mother must have a statement signed by a physician within 30 days before employment which indicates that she is free from communicable disease including tuberculosis and is physically able to care for children.

If there are other adults or older children who will be assisting in caring for children, they must also meet the above health requirements.

5. Facilities

The family day care home must be a clean and safe facility which is in good repair, free from fire hazards, and with no obvious hazards to children. (If this is questionable, request inspections from appropriate building, fire, and health authorities).

An agency worker must visit the proposed day care mother's home or interview the day care aide to determine compliance with the appropriate requirements. After a family day care home is approved, the home must be visited by a worker from the county agency at least semi-annually for an evaluation to insure that the home is complying with the requirements and the approval can be continued.

There must be adequate indoor floor space (approximately 35 square feet per child) available to the children for day care activities.

There must be a safe outdoor play space easily accessible.

There must be a good lighting and ventilation system and a moderate temperature.

There must be sanitary food preparation facilities, including a refrigerator for storing perishables.

There must be toilet and washing facilities which are available for the day care children.

There must be beds or cots available for the pre-school child for a regularly scheduled nap each day. Cribs are to be provided for children under two years of age. Children from the same family may share a bed.

There must be a separate area available for isolation of a sick child.

A well-balanced midday meal shall be provided, which contains at least one-third of the nutritional needs of a child. Nutritious midmorning and midafternoon snacks should be provided.

6. Special Notes

The county agency shall develop a system whereby day care mothers and day care aides can be identified as being available when new day care arrangements are needed.

It is essential that the Bureau of Day Care Services have, at all times, a current file of all day care homes . . . within the State. Such information is to be made available to the Bureau by the county agencies through the appropriate District Offices.

Day care home approval responsibility may be either shared with or delegated to the county children's service board by the county welfare department.

The State has also established a procedure for the "approval" of "in-own-home day care" services which is the provision of day care to a child in his own home. Such care is provided by the "day care aide." Any number of siblings may be cared for in their own home. Requirements for this type of service are set forth in Requirements for Approval of In-Own-Home Day Care (DCS 32), and Day Care Services Letter No. 4.

Day Care Homes

OKLAHOMA

1. Licensing Agency and Contact

Licensing Service Unit
Oklahoma Department of Institutions, Social and
Rehabilitative Services
P. O. Box 25352
Oklahoma City, Oklahoma 73125

Contact: Licensing Supervisor

2. Legal Reference

Oklahoma Statutes Annotated 1961, Title 10, Sections 401-410.

Standards for Day Care Centers and Family Day Care Homes, (DISRS), 1971.

"Child care facility". . . shall mean any public or private institution, child placing agency, foster family home, group home, day care center, or family day care home, providing either full-time or part-time care for children away from their own homes, and which is owned or controlled by a political subdivision, a corporation, an unincorporated organization or association, or individual.

"Day care". . . shall mean the provision of care and supervision of a child who resides in its own home or with relatives but is in the care of another person for part of the day who is conducting a family day care home or persons conducting a day care center.

A "family day care home" means a licensed or approved family home which provides care and protection for five or less children for part of the twenty-four hour day. The definitions of family day care home and day care center do not include informal arrangements which parents make independently with neighbors, friends, and others, caretakers in the child's own home. . .

"Child" or "minor". . . shall mean any person who has not attained the age of eighteen (18).

The provisions of the licensing act shall not apply to licensed hospitals, maternity homes, to schools under the supervision of the Department of Education, the home of a child maintained by his parent, stepparent, grandparent, brother, sister, uncle or aunt. . .

3. Child Eligibility

The total number of children placed in any one home shall be limited to five, including the family day care parents' own pre-school children; and be of suitable range in ages.

The family day care home shall not give twenty-four hour foster home care on a regular basis.

4. Operator Eligibility

The family day care parents shall not be too old to demonstrate the vitality and flexibility which are required for the care of children nor be too young to exercise good judgment and use appropriate authority in caring for children.

A physical examination of the family day care parents by a duly licensed physician in the State of Oklahoma shall be required. All members of the family day care home shall be free from communicable diseases, nervousness and instability that might have an adverse effect on the child.

With respect to family conditions, there shall be an awareness of special physical or mental problems in the family day care home.

The family day care mother shall be the person responsible for the children in her care, and shall arrange to have a competent adult to provide consistent supervision during any absence from the home.

5. Facilities

Before issuing a license, the Department shall investigate the activities and standards of care of the applicant. . .

The Department shall have authority at any reasonable time to investigate. . .the conditions of any child care facility in which a licensee receives and maintains children. . .

The Department of Health may visit any licensee at the request of the Department to advise on matters affecting the health of children and to inspect the sanitation of the buildings used for their care.

The State Bureau of Investigation, or other agency performing the duties of State Fire Marshal, may visit any licensee at the request of the Department to advise on matters affecting the safety of children and to inspect the condition of the buildings for their care.

There shall be adequate indoor and outdoor play space and equipment.

The family day care home shall be clean, well-ventilated, well-kept, properly lighted and heated, and have adequate sanitation facilities.

Adequate bathing and toilet facilities shall be available.

Each child shall have an individual bed or cot for sleeping. Boys and girls of school age and over shall sleep in separate rooms.

Each child must be assured of having a mid-day meal, plus morning and afternoon snack. A balanced diet adjusted to the age and physical development of the child shall be provided, and it shall supply at least one-third of the child's daily nutritive requirement.

6. Special Notes

The family day care parents are responsible for the children's school attendance in accordance with the requirements of the State Department of Education. It is recommended that the home should be within reasonable access . . . to school, if school age children are under care.

1. Licensing Agency and Contact

Oregon Public Welfare Division, Public Service Building,
Salem, Oregon 97310.

Contact: Supervisor, Day Care Unit.

2. Legal Reference

Oregon Revised Statutes, Sections 418.805 - 418.990.

Rules and Regulations Governing Group Day Care Facilities in Oregon, (PWD), 1969.

"Day care facility" means any facility that provides day care to three or more children, including a day nursery, nursery school group, family day care home or similar unit operating under any name. . .

Oregon law requires licensure of facilities caring for five children or more; day care facilities caring for fewer than five children may voluntarily apply for a certificate of approval from the Public Welfare Department.

(See Part I - Day Care Centers (Oregon))

PENNSYLVANIA

1. Licensing Agency and Contact

Office of Family Services, Department of Public Welfare, Commonwealth of Pennsylvania, Harrisburg, Pennsylvania 17120.

Contact: Licensing Program Supervisor.

2. Legal Reference

Purdon's Pennsylvania Statutes Annotated, Title 62, Section 1001 et seq.

Regulations - Family Day Care Homes for Children Subject to Licensing, (DPW), June 1969. (DPW-C&Y Manual, Title 5500)

"Child day care" means care in lieu of parental care given for part of the twenty-four hour day to children under sixteen years of age, away from their own homes, but does not include child day care furnished in places of worship during religious services.

"Family day care home" means any premises in which day care is provided in a home setting to not more than six children at any one time.

"Family day care home for children subject to licensing" means a day care home operated for profit in which day care is provided simultaneously to more than three unrelated children and to fewer than seven children who are not relatives of the operator.

(Family day care homes utilizing public funds for service to children must comply with all provisions contained in the Regulations. Homes which do not utilize public funds are exempt from certain of these requirements. The following summary reflects those requirements which must be met by all homes. Unless otherwise noted, it does not cover the additional requirements imposed upon facilities receiving public funds.)

3. Child Eligibility

Family day care homes shall be used for children under the age of 16. If school age children are cared for, they shall attend school in accordance with the requirements of the Public School Code of 1959, as amended.

The maximum number and ages of children that may be cared for in the day care home shall be determined by the Department based upon the physical strength, skills and capacity of the day care mother to care for children of differing ages, the number and age of her own children living in the home, the physical accommodations of the home and the availability of household help from members of the family or a paid assistant. In no event shall the number of children enrolled exceed six between the ages of 3 and 16 or five children within the age range of infancy through 6. There shall be no more than two children under 2 years of age including the children of the day care mother in a family day care home at any one time.

Prior to the admission of a child to the family day care home, the day care mother shall have for the records a certificate of health signed by a licensed physician stating that the child was examined within the two-week period prior to the date of his admission to the family day care home and found to be physically well and adequately immunized for his age.

A certificate of health, for every child who is receiving care, signed by a licensed physician stating that the child has been examined and found to be physically well shall be obtained every six months for each child under the age of three years and annually for each child three years of age or older or more often if necessary. Each child between the ages of nine months and three years shall have an annual intra-dermal test for tuberculosis; each child between the ages of four and sixteen years, every two years.

Prior to the admission of a child to the home, the day care mother shall have for the records a signed agreement between the day care mother and the parent or parents setting forth the amount of the fee to be charged per day per week, the dates upon which payments are to be made and the services which are to be included in the fee. . .

4. Operator Eligibility

Every family day care home shall be operated by a female over the age of 21 years who understands children, is capable of giving them affection and supervision, is capable of handling emergency situations promptly and appropriately, and has sufficient stability, energy, flexibility, and time to care for children.

The family day care mother and any adult who assists with the care and supervision of the children shall be in good health and have a physical examination annually, including tuberculin test or chest X-rays as indicated. A certificate of the examination stating that members of the household are in good health and free from physical or mental illness which might be detrimental to children shall be signed by a licensed physician. . .

Children in a family day care home shall at no time be without competent adult supervision. To insure adult supervision in case of an emergency, arrangements must be made with a nearby person who will be on call if needed.

5. Facilities

Family day care homes for children shall conform to all local public health and safety codes, to all applicable laws and regulations set forth by the Pennsylvania Departments of Health, Labor and Industry, State, and Public Welfare, and to the Pennsylvania Human Relations Commission, as well as to Title VI of the Civil Rights Act of 1964.

The family day care home shall be safe from hazards and meet local standards of safety and sanitation. Inspection for safety and sanitation may be arranged by the Department when deemed necessary.

The statute provides for Departmental investigation of appliof applicants and facility sites prior to licensure and inspection of licensed facilities for determination of continuing compliance with the licensing act and applicable regulations.

All rooms used for day care shall be at ground level or above. Exception - if rooms are partially below ground level, they shall be dry, warm, well lighted and ventilated and their use approved by the appropriate safety and sanitation authorities when deemed necessary by the State Department of Public Welfare.

There shall be adequate space indoors and outdoors for children to play freely and safely.

Outdoor play space shall be on the premises or safely accessible to children when they are accompanied by an adult, and free from dangerous conditions or hazards. If toddlers are cared for, the outdoor play space shall be fenced in or there shall be adequate precaution and protection against traffic accidents.

For each child between the ages of 3 months and one year a playpen and stroller will be available for his use.

There shall be provisions to meet the particular needs of handicapped children served by the family day care home.

Heating, ventilating and lighting facilities shall be adequate for the protection of young children. A minimum temperature of 70° Fahrenheit shall be maintained in all rooms occupied by children.

The family day care homes shall have a telephone.

The home shall have for each child under six years of age an individual bed, cot or crib, appropriate for his age...

There shall be adequate room to permit temporary isolation and privacy in case of emergency if more than one child is to be given care.

Meals served shall be wholesome, of good quality and in sufficient amounts to insure good nutrition. Menus shall be sufficiently varied to be enjoyable and attractive. The times for meals and between-meal snacks shall be scheduled so that the period between feeding shall never be more than 4 1/2 hours. Children remaining at the family day care home for a period of six hours or longer shall have as a minimum a mid-morning snack, a lunch, and a mid-afternoon snack. Children returning to the family day care home after school shall receive an after school snack. Children who do not receive a noon meal at school shall be served lunch at the family day care home.

Prior to the child's admission, the day care mother shall have for the records a written statement from the child's mother or physician giving the formula and feeding schedule for a child under the age of one year.

Children shall receive . . . variation in diet, or special medical procedures including formulas, schedules, introduction of new foods for the very young child, on written order from a licensed physician.

6. Special Notes

The Department also prescribes regulations for two other types of family day care homes:

> Regulations - Family Day Care Homes Under Social Services Auspices. (DPW C&Y Manual, Title 4700). - applicable to non-profit family day care homes.
>
> Regulations - Family Day Care Homes (Not Under Social Services Auspices) Subject to Inspection and Supervision. (DPW C&Y Manual, Title 5600) - applicable to family day care homes operated for profit in which day care is provided simultaneously to fewer than four unrelated children who are not relatives of the operator.

Licensure is not required for either of the above facilities; however the State Welfare Code requires that these types of homes be supervised by the Department.

Day Care Homes

PUERTO RICO

1. Licensing Agency and Contact

Department of Social Services, Commonwealth of Puerto Rico, San Juan, Puerto Rico.

Contact: Licensing Specialist.

2. Legal Reference

Laws of Puerto Rico Annotated (1963), Title 8, Sections 68-78.

Regulation. . .for the Licensing and Supervision of Day Care Homes. . . (DSS).

Day-care home is the home of a family who for pay is devoted to the day-care, and in a regular manner, of a maximum of six children not related by blood to said family.

3. Child Eligibility

The number of children in a day care home should not exceed six including the children residing in the home who are pre-school, or up to 14 years of age and are not attending school, or attend school for only half a day.

In the case of placement of brothers (among themselves) an exception may be made with regard to the maximum of six children per home.

If the number of children to be cared for includes more than two children less than one year of age, the day care mother should have another adult helping care for the children.

Each child will be given a physical examination prior to being admitted to the home to insure that no child will be admitted who is suffering from a transmittable disease. All children who have not been vaccinated should be referred for vaccination against smallpox, tetanus, typhus, and whooping cough.

In addition to the physical examination required for admission, a complete physical examination will be made annually, which certifies that the child enjoys good health.

4. Operator Eligibility

The mother of the day care home should be older than 21 years of age. She should have ideas about, and/or satisfactory experience in the care of children, their needs, and how to satisfy (their) needs.

The other persons in whom the day care mother delegates day care should be at least 18 years old and should have the ability to undertake this work.

The persons who reside in the home should each submit a health certificate, in which it is specified that he does not suffer from a contagious disease, nor any other disease which might affect the normal development of the children. The family group should be composed of persons who enjoy good health, both physical and mental.

In those day care homes which provide day care services by the hour, there should be sufficient personnel to provide this service.

5. Facilities

The home should conform with the sanitation standards established by the Bureau of Environmental Sanitation, Department of Health, and the standards of the Fire Department as verified by the licensing official of the Department of Social Services.

The licensing official will request that technical personnel of the agencies mentioned above make an inspection when deemed necessary.

The Day Care Homes shall offer to the authorized official of the Department of Social Services who come to visit the home all the necessary facilities so that this inspection carried out rapidly and efficiently. The statutes provides that "the Division may, through its authorized representatives, visit and inspect, whenever it shall deem necessary . . ."

The home should provide sufficient space within and outside the house for recreation for the children. In homes where children over two years of age are cared for, the yards should be fenced and have a gate for the protection of the children.

Rooms that are used for the care of children should have adequate illumination and ventilation, in addition to the facilities needed for the hygienic care of the children and food preparation.

Children should be provided with a bed, cot or mat with clean bed clothes.

If a child becomes sick during the day, he should be promptly isolated from the other children, until the necessary arrangements are made with the parents to take him home.

The children who stay at the day care home during the entire day should have two snacks and luncheon every day. Those children who are at the day care (home) for only half a day should have at least one snack in the middle of this period.

6. Special Notes

1. Licensing Agency and Contact

Child Welfare Services
Division of Community Services
Rhode Island Department of Social and
  Rehabilitative Services
600 New London Avenue
Cranston, Rhode Island 02920

Contact: Chief Supervisor, Licensing Services

2. Legal Reference

General Laws of Rhode Island 1956, Sections 40-15-2 et seq., and 40-14-1 et seq.

Guide for Independent and Agency Foster Boarding Homes - Full-Time Foster Boarding, Part-Time Foster Boarding, (DSRS), 1970.

Any person who for compensation receives for care or treatment or has in his custody one or more children under the age of sixteen (16) years, unattended by a parent or guardian, for the purpose of providing such child with care and lodging, except children related to him by blood or marriage, or legally adopted by, or legally committed by order of any court to such person, shall be deemed to maintain a children's boarding home.

It is necessary that a license be secured from the Department of Social and Rehabilitative Services if a foster family is to board children independently of a licensed child welfare agency or for a child placing agency.

The part-time boarding home cares for one or more children for a portion of the day or night.

No home shall be licensed for both full-time and part-time care.

3. Child Eligibility

The foster boarding home may accept children from infancy to 16 years.

The maximum number of children in a home shall usually not exceed four. A special license to board as many as seven children may be given by the licensing agency when in the best interest of children. No home shall be licensed for more than two children under two years of age, and for more than four children under six years of age including those of the foster family.

Required information for each child accepted for care includes:

> A Certificate of Health signed by a physician, stating that the child has been examined within the preceding five days and found to be free from contagious disease or exposure to contagious disease and is physically well.
>
> The approximate date of triple immunizations, polio shots and successful smallpox immunizations and measles protection.

Before admission there should be a written boarding agreement between parents. . .and boarding parents on the amount of the fee, services covered, and the date payments are to made. . .1/

4. Operator Eligibility

Foster parents, in general, shall be between the ages of 21 and 60.

The foster family shall be composed of a complete family unit, with both parents whenever possible.

Both foster mother and foster father should be able to speak the English language.

The foster mother should have knowledge of physical and emotional needs of children and know about growth and development.

1/ A written receipt must be given to the parent or person placing the child by the independent boarding mother each time money is received as board payment.

All members of a foster family shall be of good character, habits, and reputation. Favorable references from a physician, clergyman, and three other individuals not related to the family are required.

The foster family shall be in good physical and mental health. Every member of the household shall be free from communicable diseases or any disqualifying mental or physical defects. An annual chest x-ray of all members over 16 in the family is required.

If it is necessary for both foster parents to be absent from the home it is expected that the children shall be left in charge of a person competent to supervise them . . . To insure adult supervision in case of emergency, arrangements must be made to have a nearby person on call.

5. Facilities

No license may be issued until all fire, health, and building laws have been complied with, including the recommendations of the State Fire Marshal, Building Inspector, and R. I. Department of Health and Sanitation.

The house and yard must be kept clean, free from odors, vermin and accumulation of trash, in accordance with local ordinances.

Homes situated in localities served by public water supply and public sewage disposal systems should use these services. Where such services are not available, the facilities shall be approved by the R. I. Department of Health.

All milk purchased for use in the foster home must have been pasteurized in a plant licensed by the Rhode Island Department of Health.

If milk is produced on the premises, before it is served it must be pasteurized and bottled at the plant licensed by the Rhode Island Department of Health.

Inspections of homes are conducted by the licensing agency and fire, health and building authorities. Prior to initial licensing, Child Welfare Services will conduct a home study. After issuance of license, a nurse from CWS visits independent homes quarterly or more often. . . An agency worker visits both independent homes and agency homes yearly to complete an annual evaluation of the boarding home.

Adequate space for indoor play and an enclosed yard or safe yard for outdoor play is required on the premises. If toddlers are cared for, the outdoor play space must be fenced in or there must be adequate protection against traffic accidents.

There must be adequate bathing, toilet, and handwashing facilities.

Adequate accommodations must be available for daytime naps or overnight sleeping in properly ventilated rooms, in comfortable, clean cribs or beds. It is desirable that the foster home shall provide each child with a separate bed. . . Never more than two children near the same age shall be permitted to sleep in the same bed, and they must be of the same sex, if over four years of age. All babies must sleep along in cribs. . . No child shall sleep below the ground floor of a house.

There shall be facilities for the proper isolation of children in case of illness.

All food is to be furnished by and prepared in the foster home. Lunches are not to be brought from home for part-time foster children.

The daily menu served shall be wholesome, of good quality, and in sufficient amount and variety to insure good nutrition. To insure recommended amounts of nutrients, the following must be included in each days menu:

PART-TIME CARE:

meat, poultry, or fish	2-4 tablespoons (1-2 oz. cooked)
cooked vegetables.	2-4 tablespoons
raw vegetables	2-4 strips (one dark green or yellow for Vitamin A)
bread.	1/2-1 slice
butter or margarine.	1/2-1 teaspoon
fruit or pudding	1/4-1/2 cup
milk	1/2-1 cup

Any deviations from normal eating pattern for the child should be followed only on the written prescription of the physician.

A written statement from the child's parents or physician on formula and feeding schedule for the child under one year shall be secured for daytime children.

Formulas shall be prepared under sanitary conditions. Bottles, nipples, eating and cooking utensils shall be properly cleansed and sterilized in accordance with approved medical procedures.

6. Special Notes

If the foster mother provides transportation to and from the home or for any activities during the day. . . it is advisable that liability insurance be carried on the car and its drivers.

SOUTH CAROLINA

1. Licensing Agency and Contact

Children and Family Services Division, State Department of Public Welfare, State of South Carolina, P. O. Box 1520, Columbia, South Carolina 29202.

Contact: Chief, Children and Family Services Division.

2. Legal Reference

Code of Laws of South Carolina 1962, Section 71-231 et seq.

Rules and Regulations Relating to Licensing Day Care Facilities and Child Care Centers, (DPW), Rev. 1967. (also In S. C. Code 1962, Rules and Regulations, "Welfare, Public Department.")

Any agency, institution, or family home engaged in the business of receiving children for care and maintenance, either part time or full time, shall be classed a child welfare agency.

Exceptions are (1) the existing (March 9, 1956) agencies operating under established religious denomination except as these agencies voluntarily assume the rights and obligations of this Act; (2) The Children's Bureau; (3) any children's home or institution to which state funds are appropriated.

"Day Care Facility" shall mean and include any agency, institution, center, home, day nursery, nursery school, play school, or other place, however styled and whether operated under public auspices or as a private business, in which are received for temporary custodial care apart from their parents, part of the day or all day or part of the night, and upon any number of successive days one or more children not related to day care family or staff of facility; but the term does not include the day care service of any agency to which State funds are appropriated, nor does it include any kindergarten or school which has as its primary function educational instruction and which operates (1) under the supervision of the State Board of Education or a County Board of Education, or (2) under a qualified teacher, or (3) less than four hours per day. Provided, however, that any kindergarten or school exempted under this provision may be licensed upon its voluntary agreement to subject itself to the terms and provision of the law relating to child welfare agencies. Day care services owned and operated by established religious denominations may be included only if such facilities voluntarily assume the rights and obligations of the Licensing Act.

A "Family Day Care Home" is one in which care is given in a family home during the day only for one and not more than seven children including the day care parents' own children.

"Adult" shall mean a person 21 years or older.

"Infant" shall mean a child under 2 years of age.

3. Child Eligibility

A family day care home shall have no more than seven children, including own children. It is desirable, however, that there be no more than five. It is also preferable that the children be of different ages and that there be no more than two infants in order that family-style living may be possible.

The number of children in . . . family day care . . . depends upon the facility and space in the home, the skill of the day care mother, and the amount of help she has. Consideration may be given to the availability of household help from a member of the family.

Each child shall have a physical examination before he is accepted for care and evidence presented that he is free from communicable diseases. Inoculation against common childhood diseases shall be required except in a case where the physician considers it inadvisable.

4. Operator Eligibility

The day care mother should like and understand children and be able to give them warmth and security. She should be of an age and temperament so as to possess the maturity, energy, and flexibility for young children.

All members of the household must be in such physical and mental health as will not affect adversely either the health of the child or the quality and manner of his care. The family should be willing to have this fact verified and shall submit statements annually certifying that all are free from communicable and contagious diseases.

The children under care shall never be left without competent adult supervision. There shall be a designated person who can be called in an emergency. This person must have a health card.

5. Facilities

Day care homes shall be safe, with adequate space, light, heat, ventilation, screening, and sanitary toilet facilities; be reasonably free of fire hazards, and shall conform to the sanitary laws and ordinances of the State, County, City, or Town in which it is located.

Toilet and washroom facilities shall meet the standards of the local health . . . authorities.

Any changes in the facility or its operation which affect the best interest of children under care shall be reported immediately to the county department of public welfare. . . If additional space becomes available or other changes made which indicate an increase in the license, the county department may request the State Department of Public Welfare to increase the number of children to be cared for by the facility.

There shall be annual inspections and compliance with the recommendations made by such health authorities and fire authorities who are required or permitted to inspect and enforce health, sanitation, and fire regulations.

Each day care facility shall be studied by a duly qualified representative of the Department of Public Welfare, or by a licensed child placing agency.

A license shall be issued or denied on a basis of the review of a study and recommendation sent to the State Department by a County Department of Public Welfare. Annual renewal of the license is contingent upon the yearly evaluation of the facility by the county welfare department. If, upon the review of the evaluation in the State Department, the day care facility meets the basic requirements for licensing, the license will be renewed.

All rooms used for children must have windows above street level with adequate sunlight and ventilation.

Outdoor and indoor play space of ample amounts shall be available and safe for the life and health of the children. A recommended guide is 35 square feet per child indoor, exclusive of bath, kitchen and isolation area, and 75 square feet per child outdoor. The outdoor area should be fenced if the location would be unsafe for children without this protection.

An individual cot, bed, or suitable sleeping pad shall be provided for each pre-school child who is under care more than three hours.

If more than one child is in the home, the arrangement should be such as to permit temporary isolation in case of illiness . . . In the case of illness or an accident to a child, he shall be isolated promptly from the other children until arrangements can be made for his care elsewhere.

A full-balanced meal shall be served in the middle of the day and the diet shall be varied, adequate and wholesome. In those communities where night care is necessary, full and balanced meals shall be served if children are under care at the hour of the evening meal or breakfast time. Food for infants shall be provided under medical direction.

6. Special Notes

The State also licenses the group day care home which provides care in a family home during the day only for no more than 15 children, including the day care parents' own children. The summary of regulations set out above (other than with respect to the total number of children for whom care may be provided in one facility) applies also to group day care homes.

1. Licensing Agency and Contact

State Department of Public Welfare, State Office Building, Pierre, South Dakota.

Contact: Day Care Service Unit.

2. Legal Reference

South Dakota Compiled Laws 1967, Sections 26-6-1 et seq.

Standards and Rules Relating to Licensing of Foster Day Care Homes /effective 1965/ (DPW), 1970.

Any agency or institution maintained by a municipality or county, or any agency or institution maintained by a person, firm, corporation, association or organization to receive children for care and maintenance or for placement in a family home, or that provides care for unmarried mothers and their children, shall be deemed to be a child welfare agency. . .

A child welfare agency shall be licensed . . . for activities which fall within one or more . . . categories which include the providing of care and supervision of a child, or children, as a supplement to regular parental care, without transfer of legal custody or placement for adoption, with or without compensation, on a regular basis for part of a day in a family home, which shall be known as a foster day-care home.

Exemptions from licensure include . . . the care of children by a baby-sitter, friend or neighbor, the exchange of care of children by parents under informal mutual arrangements, care furnished by a legal guardian. . .

As further defined by the Standards, a foster day care home is a private family home that provides for care and supervision for one child or a limited number of children for a part of the 24-hour period. It is unique in that it provides such care in a family setting rather than in a group. It is especially recommended for children who are not ready for or cannot adapt to and profit from a larger group experience; or for brothers and sisters who need the security of being cared for together rather than being separated; or for a child under three.

3. Child Eligibility

The number and ages of children in a foster day care family home, both own and foster children, should be determined by the stamina, capacities and skills of the foster parents, the physical accommodations of the home, and the effect upon the equilibrium of the family as a unit.

The number of children to be cared for in any one foster family home shall not exceed six, including the foster family's own children. There shall be no more than two children under two (including foster parents' own children under two) among the six children.

Foster family homes caring for more than six children, including foster parents' own children, prior to the effective date of these standards may be excepted from this limitation, for these children only, on approval of the licensing agency.

The licensing agency may make an exception to the standard of six children in a foster family home including own children when it is evident that the foster family has the capacity and facility to meet the needs of all children in the home.

A certificate of health, signed by a physician, indicating the child is well and free of communicable diseases is required.

Parents shall submit a medical certificate stating that their child is actively immuned against smallpox, whooping cough, diphtheria, tetanus and polio.

Foster day care parents for a child placing agency shall accept children only from that agency, or with that agency's permission.

4. Operator Eligibility

Foster care parents shall be selected on the basis of having personal characteristics and relationships which will make it possible for them to undertake and perform the responsibilities entailed in caring for children who are in their home for a portion of the day and whose own parents retain primary responsibility for their care, and be able to work with a social agency.

Foster parents, under the age of 21, shall not be licensed. Age of foster parents should be considered in relation to their physical energy, flexibility, and ability to care for a foster child, and also in relation to the probable duration of placement of a foster child.

The foster care applicants shall be in good health and have had a physical examination within a year of the date of the Application for Foster Day Care License. The prescribed physician's report shall be completed and signed by a duly licensed physician stating that the applicant is in good health and free from any physical or mental illness which might be detrimental to a foster day care child. Any other member of the household shall submit the prescribed medical form, a signed statement by a duly licensed physician, certifying that they are free from communicable and contagious diseases and free from any physical or mental illness which might be detrimental to a foster day care child. These forms shall be filed with the State Department of Public Welfare at the time of licensing, and at the time of renewal of the license when this seems indicated to the licensing agency.

A physical handicap in either foster parent which does not interfere with ability to give adequate physical care to a foster child should not be a bar from foster parenthood. The meaning of the handicap to the individual should be evaluated, how it affects his personality, and whether it may have significance to a foster child.

Foster parents should have such education and evidenced intelligence as will permit them to provide adequately for the care of their own family and a foster child, and to stimulate their family and the foster child to use their intellectual capacities to the fullest extent.

It is desirable for the foster day care family to include two parents, in order to provide maximum opportunities for personality development

The presence of other children in the home, either own or foster children, or related or unrelated adults, should be taken into account as they may be affected by, or have an effect upon, another child.

It is presumed that foster parents should be persons . . . who have a reputable character, values and ethical standards conducive to the well-being of children. . .

5. Facilities

An approved public water supply is required. If another resource is used, it must be tested by the State Department of Health as a safe water supply.

The state department of health and its duly authorized agent may visit any child welfare agency to advise the agency on matters affecting the health of children and to inspect the sanitation of the buildings used for their care.

The decision relative to licensing a foster day care home by the State Department of Public Welfare is dependent on a study of the foster day care applicants and their home, written and approved by a child placing agency, submitted for approval and licensing by the State Department of Public Welfare. Renewal will be based on the approval by the State Department of Public Welfare of the evaluation of the foster day care family and its care of children during the past year, submitted by a child placing agency. Supervision by a child placing agency is desirable for all licensed foster day care homes.

Rooms used for day care shall be dry, warm, and well ventilated and lighted. It is desirable to have space on the ground floor.

Provision for outdoor play must be provided. It is desirable to have a fenced area where children can play without hazards.

The family day care home shall have a telephone or an accessible means of communication.

Each child should have an individual cot or mat for naps. The bedding must be cleaned and aired regularly. If the family bed is used, individual linen must be used. Infants should have cribs or beds with protective sides.

If there is evidence of illness, the child should be isolated promptly. . .

Food provided in full day care must meet the total daily food needs and should complement meals served in the child's own family. If the child is in day care for more than a four hour period, the child shall be served a warm meal which supplies at least 1/3 of the day's health needs. Food shall be wholesome, of good quality and in sufficient amounts. Milk should be pasteurized. Mid-morning and mid-afternoon snacks of juice or milk are necessary to insure good nutrition for the growing child.

If formula is used, adequate sterilizing equipment is required.

6. Special Notes

Limitations on combining types of care include:

> Caring for foster children on a full time basis and on a day care basis in the same home shall not be permitted except as authorized by the licensing agency.
>
> A home being studied for adoption, an approved adoptive home, or an adoptive home where a child has been placed for adoption for less than 1 year, shall not take a child for foster day care.

Exceptions shall be permitted only as authorized by the licensing agency.

There is also general provision for some relaxation of physical standards of facilities. Any exceptions must be approved by the licensing agency.

In addition to full and provisional licenses for foster day care, the rules also contain provision for "license for specific children."

> A foster day care home, which does not meet all the provisions of the established standards of foster day care, may be licensed for care of a specific child or children only. This refers to situations where the best interests of a specific child or children are served by placement in this home rather than in any other licensed foster day care home.

1. Licensing Agency and Contact

Tennessee Department of Public Welfare, 410 State Office Building, Nashville, Tennessee 37203.

Contact: Licensing Department.

2. Legal Reference

Tennessee Code Annotated, Sections 14-1401 - 14-1423.

Day Care Standards, (DPW), 1966.

. . . Child welfare agency shall include child-caring institution, child-placing agency, maternity home, family boarding home, family day-care home, and day-care center. . .

Family day care home shall mean a home operated by any person who receives therein for pay five or more children under 17 years of age, who are not related to such person and whose parents or guardians are not residents in the same house, for day time supervision and care, without transfer of custody.

A family day care home cares for a limited number of children, and it is the only day care facility which may care for infants and toddlers under two years of age. It is also used for older children with special needs.

A license is not required for a home caring for fewer than five children.

3. Child Eligibility

The total number of children including the operator's own preschool children or other relatives must not exceed seven, with no more than three children under 18 months of age. If all children being cared for are under three years of age, the maximum number of children must not exceed five.

The parent(s) of each child must present a certificate to the day care home signed by a licensed physician, stating that the child has had a medical examination during the two weeks before or within the week following admission. The certificate must state that the child is free from communicable disease and must give the dates he was immunized, or indicate that he is in the process of being immunized against smallpox, tetanus, whooping cough, diphtheria, poliomyelitis, and measles. This requirement also applies to the operator's own children, grandchildren or other relatives in the day care home. All immunizations must be completed within a three-month period after admission unless there is a medical reason, certified by a physician, why these immunizations should not be made. The physician's certificate must state the presence of any condition affecting the general health of the child, or any handicap, and should include any suggestions that will be helpful in caring for the child. If there is evidence of tuberculosis in the family, a tuberculosis skin test must be made on the child and, if indicated, an x-ray of the chest.

Each child must receive a physical examination annually and at any other time indicated by his general condition. Such booster shots as the individual physician recommends should be given annually.

Before accepting a handicapped child for care, the day care home mother must receive information to help in determining whether the child's placement is best for him and will not interfere with the progress of other children. This includes reports from the physician, psychologist, and other specialists in the child's handicap.

The requirements for admission of children to day care centers must also be met. Other than the health requirements noted above, these are general requirements relating to pre-admission exchange of information between parents and operator and understanding re hours of care, fees and payment thereof.

Family day care homes must not provide 24-hour care to children.

4. Operator Eligibility

All persons caring for the children must be at least 18 years of age.

There must be on file medical reports certifying that all persons responsible for the care of the children are free from communicable disease. These must be renewed annually. The medical examination requirement, which applies also to other adult members of the household, includes a tuberculin skin test and an x-ray if indicated.

The children must have constant supervision. There must be at least one adult with the children at all times. Definite plans must be made to obtain additional adult help for emergencies.

5. Facilities

The home must meet all requirements of state and local ordinances concerning sanitation and fire prevention. Before a license can be granted, approval must be obtained from the Tennessee Department of Public Health and the Fire Prevention Division of the Tennessee Department of Insurance and Banking.

The Commissioner of the Department of Public Welfare, based upon a study by a representative of the Department, together with written reports of inspections made by the State Department of Public Health and the State Fire Marshal, will determine whether a license will be issued.

The statute provides that it shall be the duty of the Department through it authorized agents, to inspect at regular intervals without previous notice all child welfare agencies . . . within the State.

The day care home must not be located where conditions exist that will be harmful to the physical or moral well-being of the children.

The playground area must be protected from traffic hazards.

All rooms used for children must have sunlight, ventilation, lighting, and heat.

All preschool children must be required to rest on individual cots or beds after the midday meal. If family beds are used, a clean coverlet must cover the bed. Two children from the same family may use one bed if each child is covered with a separate cover.

Any child showing or developing symptoms of fresh cold, sore throat, inflammation of the eyes, fever, rash, or diarrhea must be excluded from the group until his parents can call for him, or other arrangements are made for his care elsewhere.

For children in care four hours or longer, a noon meal and one snack must be provided to meet one-third to one-half of the daily food needs of the child. For those in care longer than eight hours, the food needs of the child must be furnished in one meal and two snacks. Each meal must be well balanced and planned to provide approximately one-third to one-half of the day's food requirements for children and must include one cup of milk, one to two ounces of meat or alternate (fish, poultry, egg, cheese, dried beans, peanut butter), a combination of fruits and vegetables amounting to 3/4 cup, and one serving of enriched or whole grain bread or cereal. All milk used must be pasteurized.

6. Special Notes

When a family day care home is operated by a board, it must meet all organization and administration standards for board-operated day care centers.

Day Care Homes

TEXAS

1. Licensing Agency and Contact

Social Services Division, State Department of Public
Welfare, John H. Reagan Building, Austin, Texas 78701.

Contact: Program Consultant for Child Development.

2. Legal Reference

Texas Civil Statutes (Vernon) Article 695c, Section 8(a).

Minimum Standards for Commercial Boarding Homes, (DPW).

A commercial boarding home is a private home or place of residence of any person or persons, which operates for profit, where six (6) or less children under sixteen (16) years of age are received for care and custody or maintenance, apart from their own family or relatives, for either part of the day or for 24 hour a day care.

3. Child Eligibility

No home shall be licensed for the care of more than six children. This number includes own children of the foster family. The maximum number for which the home is licensed is at the discretion of the State Department of Public Welfare.

Not more than two infants under two years of age shall be cared for in any boarding home. If two infants are in the home, not more than one other child under the age of six years shall be accepted. These figures include children of the foster family.

Foster parents shall not admit a child to the boarding home unless they have a written report of a medical examination by a licensed physician before placement in the home. The physician is to use the examination form provided by the State Department of Public Welfare. If a child is taken in an emergency, a medical examination must be made within forth-eight hours.

The following immunizations and vaccinations shall be provided unless already done before admission and unless the child's physician recommends to the contrary in writing:

Smallpox (children 1 year and older);

Whooping cough (children 2 months to 3 years);

Diphtheria (children 4 months to 9 years).[1]

Children with infectious diseases shall not be admitted to the boarding home.

No home shall be licensed to give more than one type of care; that is, no home shall offer at the same time full-time care and care for part of the day.

4. Operator Eligibility

The foster family should be composed of both a father and a mother at least 21 and not over 65 years of age. Exception may be made at the discretion of the State Department of Public Welfare. Homes with only a mother may be approved for particular situations.

Application for a license to board children by a married woman living with her husband shall be signed by both husband and wife.

The members of the foster family shall, in the opinion of the State Department of Public Welfare, be responsible, wholesome, emotionally stable people of good character and reputation. The foster parents should have understanding of child care and of the problems of childhood and be able to give the child the affection and security he needs in order to live a normal, happy life. They should be people whose marital relations or personal problems present no situation or irregularity likely in the opinion of the State Department of Public Welfare to be harmful to the interests of the children to be cared for. All members of the family should accept the child as a member of the family group.

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[1] A 1971 amendment to the licensing law requires DPW to promulgate rules and regulations relating to immunization of children in child care facilities. The rules must require immunization of each child against diphtheria, tetanus, poliomyelitis, rubeola, rubella, smallpox, and other diseases as determined by the State Health Department.

All members of the household and employees engaged in child-caring must be in such physical and mental health as will not affect adversely the well being of the child or the quality of care given him in the foster home. Applicants for a boarding home license shall provide the State Department of Public Welfare a written report of examinations of the foster parents and of any other members of the foster family or employees for whom examinations seem indicated. Such reports shall be made by a qualified licensed physician on forms provided by the State Department of Public Welfare. They will be provided by the applicants during the initial study of the home, annually thereafter, and at any other time when indicated.

There shall be no mentally ill or mentally defective person in the home.

Foster parents are responsible for the child's adequate supervision in the home at all times. A competent adult person shall be left in charge during any absence of the foster mother.

5. Facilities

The home shall comply with state building regulations and laws, with city zoning ordinances, with all health and sanitary standards of the State Department of Health as well as local health and sanitary ordinances and with State and local fire laws.

The plumbing shall be safe and in compliance with the city ordinance.

The water supply shall be obtained from the public water system if available, otherwise from a source or system meeting the State Department of Health standards.

There shall be adequate and sanitary sewage disposal through connection to the public sewer system. If there is no public sewer system available, the method of sewage disposal shall meet the State Department of Health standards.

Toilets shall be of the flush type unless the boarding home is located in a rural area, in which case toilets provided must comply with the State Department of Health Standards.

It is recommended that only those foods be used which comply with the provisions of the Texas Food and Drug Law and Sanitary Regulations requiring the proper protection of food stuffs from contamination and that meat be used only from properly inspected plants.

Grade A pasteurized milk shall be served to the children unless permission is given by the local health department to serve other grades. The method of home pasturization prescribed by the local health department shall be used if pasteurized milk is not available in the community. Home milk supplies must meet local health department standards.

The licensee shall immediately report to the State Department of Public Welfare any change in the condition of the boarding home which might in any way, positively or adversely, affect the welfare of the children boarding in the home. Examples of such reportable changes include changes in the housing. If additional room or other changes warrant an increase in the license, the licensee shall request the State Department of Public Welfare to increase the authorized number of children which may be boarded in the home.

Inspections by health and fire departments shall be made prior to issuance of a license and annually thereafter. If such inspections are not available, the licensing worker shall observe and report hazards in these areas.

The boarding home shall be inspected and approved by a duly authorized representative of the State Department of Public Welfare prior to accepting children for care and issuance of a license. The State Department of Public Welfare shall have the authority to visit and inspect the boarding home at all reasonable times, to ascertain if it is being conducted in conformity with the law or if any conditions exist which need correction and to investigate any complaint. The home has the right to ask the Department for help and consultation.

. . . When children under 2 are cared for upstairs a gate shall be provided at the head of each flight of stairs to which children have access or at each hall door.

The home shall not be overcrowded. 500 cubic feet per child of living space actually used by the children are required.

Sufficient floor space (usually considered to be at least 30 square feet per child) shall be allowed each child in a sleeping room.

The outdoor play area shall be enclosed by a fence.

Rooms used by the children shall be adequately ventilated, the heat in winter months to be controlled by a room thermometer. 68°F. to 72°F. is recommended for sleeping rooms; 68°F. to 80°F. for other rooms.

Window space and artificial lighting shall be sufficient to prevent eyestrain.

Comfortable beds shall be provided and shall be kept in a clean and sanitary condition at all times. The bedding shall be adequate and suitable to the season. If the child is kept in the boarding home for only part of the day, a cot is permissible for rest during the day. Each child shall have a bed alone.

Any child showing signs of illness (such as a running nose, watery eyes, flushed cheeks, rash, cough, apparent rise in temperature, or vomiting, fatigue, irritability, or unusual behavior) shall be isolated promptly from other children in the home. Any child suspected of having a communicable disease shall be reported to the local health officer and shall be isolated from other children in the home.

Substantial meals suitable to the needs of growing children as recommended by Texas Food Standards shall be provided.

Meals served to children in the boarding home should be planned so that in each 24-hour period the standards for children are met. If a child remains in the boarding home only part of the day, cooperation of the boarding home and the own home is necessary.

Formulae and additional feeding for infants shall be prescribed by a physician licensed by the Texas State Board of Medical Examiners.

6. Special Notes

The license shall be in effect from date of issuance as long as the home meets the minimum standards for the facility set out by the Department of Public Welfare or until the licensee notifies the Department that he has closed operation.

No boarding, convalescent or nursing home which provides care for chronic patients or the aged shall be licensed as a boarding home for children, except that in unusual circumstances a license may be issued to meet the needs of a specific child.

Another type of family day care facility is the "agency boarding home" which is defined by statute as:

> . . . a private home, caring for six or less children, used only by a licensed child placing agency, which agency has determined and has certified to the State Department of Public Welfare that such home meets minimum rules and regulations promulgated by the State Department of Public Welfare, and which agency shall provide supervision both for the boarding home and each child so placed therein.

These facilities are not required to be licensed separately by the State Department of Public Welfare, provided that they are designated as such in writing by the user child-placing agency. Although not required to be licensed, agency boarding homes must meet minimum standards prescribed by DPW, and the Department is authorized to visit any such home with a view to ascertaining whether the child cared for in the facility are being properly serviced and properly supervised by the child-placing agency.

UTAH

1. Licensing Agency and Contact

Division of Children Services, Department of Public Welfare, State of Utah, 421 State Capital, Salt Lake City, Utah.

Contact: Day Care and Licensing Specialist.

2. Legal Reference

Utah Code Annotated 1953, Sections 55-9-1 - 55-9-4.

Family Day Care - Procedures for Licensing and Standards Established for Family Homes, (DPW), 1965.

. . . No day nursery, person, association, corporation, institution, or agency shall provide care and supervision for three or more children under fourteen years of age in lieu of care and supervision ordinarily provided by parents in their own homes, for periods of more than four but less than 24 hours in any one day, with or without charge, without having in full force a license issued by or under the authority of the division of family services. . . Excluded from licensing provisions is care given to children by or in the homes of parents, legal guardians, grandparents, brothers, sisters, uncles or aunts, or as part of the program of an educational institution regulated by the boards of education of the State, or as part of the program of a parochial educational institution.

A family day care home is a private home caring for a limited number of children for part of a day. If three or more unrelated children are cared for (see exception below) it is necessary for the home to be licensed. Family day care is defined to include homes caring for six or fewer children for a minimum of four hours, but less than twenty-four hours. The day care family's own pre-school children shall be included in the count of six or fewer children.

Exception: A license may be issued to a family day care home caring for fewer than three children upon receipt of application and when it has been determined that standards have been met.

Family day care homes caring for children, for whom the Department has accepted responsibility or agreed to pay the cost of care, must have a license regardless of the number of children cared for in the home.

3. Child Eligibility

Family day care is most appropriate for:

Children under age three.

Children of any age for whom group care is unsuitable due to physical handicaps, emotional disturbances or mental retardation.

Children of one family in which there is a child under age three and with one or more older children for whom it is most advantageous to arrange day care together.

Children living in scattered residential areas, where it is not feasible to establish a group care facility.

Children whose parents work schedules do not coincide with that of the day care center.

The day care mother must have a statement, signed by a licensed physician, certifying that the child is free from communicable diseases and make known any health problem the child may have. If other health problems exist the day care mother should evaluate with the parents the feasibility of accepting the child and what precautions are indicated.

A home shall not be used for a day care home and a foster home concurrently.

4. Operator Eligibility

The day care mother should not be too young but old enough to have maturity but not too old to lack sufficient stamina and flexibility to care for young children.

The day care mother and other persons responsible for the children must have an interest in and a capacity for enjoying children. They should be dependable and consistant and have the ability to discern the feelings and needs of children and possess good judgement. They should be able to handle normal, as well as difficult situations, promptly and intelligently.

The suitability of the day care mother should be attested to by two satisfactory references.

There shall be a statement signed by a licensed physician certifying that all persons responsible for children in the household are free from health problems which would limit them in caring for children. These reports shall be renewed annually and be available for inspection by a representative of the licensing agency.

A responsible adult, such as a neighbor, should be available on call for emergency situations.

5. Facilities

The day care homes must comply with all local ordinances relative to zoning or privilege licensing.

The home should be provided with public water and sewer utility service or if there is an individual water and waste disposal system it must have been approved by the State Health Department or the local health department.

Food storage, preparation and serving facilities should comply with Utah State Health Department sanitation regulations as applicable.

All licenses for family day care shall be issued by the Public Welfare Commission after a report from the county office is received indicating that a family day care home is meeting required standards. . . It shall be left to the discretion of the person making the evaluation as to whether or not others, such as the public health nurse, sanitarian, fire marshal, or nutritionist are requested to evaluate the home. If there are reasons to be concerned about any of the foregoing areas pertaining to the safety and well being of children, then a representative of the cooperating agency shall be requested to appraise the home and make recommendations.

Day Care Homes licensed under the provisions of these standards shall be under the supervision and inspection, at any time, by representatives of the licensing agency or those cooperating departments who may be asked to make any appraisal of the home.

All rooms used for the children must have plenty of sunlight, adequate ventilation, lighting and heating.

Each child should have his own bed or cot and bedding. Family beds may be used if clean coverlets are placed over the beds to provide the necessary protection. For infants a crib or bed with sides is required.

Provision should be made for the isolation of a child who becomes ill. . .

Foods known to supply the essentials for good health and growth should be provided in adequate amounts. Children should eat regularly foods from each of the following basic food groups: Milk, fruits, vegetables, meats, cheese, eggs, cereals and bread. Babies usually establish their own regular feeding schedules. Details of the child's diet should be obtained from the natural mother or guardian.

6. Special Notes

VERMONT

1. Licensing Agency and Contact

State of Vermont
Office of Economic Opportunity, Executive Department
Montpelier, Vermont

Contact: Day Care Operations Unit

2. Legal Reference

Vermont Statutes Annotated, Title 33, Sections 2752, 2852.

State of Vermont Required Standards and Federal Interagency Recommended Standards for Family Day Care Homes and Family Group Day Care Homes, (VOEO) [Proposed]

A day care facility is any place operated as a business or service on a regular or continuous basis, whether for compensation or not, whose primary function is protection, care and supervision of children under sixteen years of age outside their homes for periods of less than twenty-four hours a day by a person other than a child's own parent, guardian or relative.

The family day care home is a family home other than the normal one of the child which offers care and protection to children for all or part of the working day. . . A family day care home usually has no more than six children in total, including the family day care mother's own pre-school or handicapped children. (Proposed Minimum Rules. . .for Day Care Centers, 1970, p.5)

All day care facilities, other than those exempt by statute, must meet State licensing requirements. Facilities receiving federal monies-directly or indirectly must comply with both State and federal standards.

(The summary below relates to proposed Vermont State requirements.)

3. Child Eligibility

A day care home shall be given a regular license to care for no more than six children, ages 0 to 14 years, including the family's own pre-school or homebound handicapped child.

Of this six, only two shall be two or under, unless a second person is available to give special attention needed for infants.

The number and ages of children in a day care home should be determined by the experience, physical strength, skills and capacities of the day care mother, and her ability to deal with children of different ages.

Day care homes frequently provide before school and after school care for short durations of time. If such care is given which increase the number of children, the licenser shall determine whether additional help is needed.

If family's own children are in school during day care hours, they need not be counted.

A special license may be given to day care homes allowing up to nine children without a second adult if children are three and over and if mother has had sufficient experience in caring for larger groups of children. There must be sufficient space and equipment.

Each child should have a signed statement from a physician before being accepted at the day care home which says he is free from communicable diseases. All immunizations and a complete physical must be completed one month from time of admission.

Own children in the day care facility shall be expected to meet the same health standards and to have the same immunizations as required for children coming into care.

4. Operator Eligibility

The day care mother, shall be of suitable age (18 at least) and temperament to care for children. She must understand the needs of children, be able to give the children the affection and security they need, and have had satisfactory experience in the care of children. These characteristics must be attested to by reliable references.

With respect to training of the supervising mother and aides in day care and group homes, the proposed Vermont Standards provide that if group training sessions are available in locality of day care or group homes supervising adult will be urged to go if volunteers are available to substitute.

The day care aide may be paid or volunteer. She must fulfill the requirements above except that her experience may be derived on the job under the supervision of the day care mother.

The use of volunteers and aides is very appropriate in family day care. Volunteers may include older children who are often very successful in working with younger children when under adequate supervision. Volunteers and aides may be used to assist the adult responsible for the group. Teenagers are often highly successful in working with younger children, but caution should be exercixed against giving them too much responsibility.

The day care parent, and all members of the family who have any contact with the children shall have a yearly medical statement from a doctor verifying that each person is in good mental and physical health. A test for tuberculosis must be included.

Any child care aide who is hired, or volunteers who help in the home must also have a medical statement from a doctor verifying their good health.

If day care mother is alone for any reason there shall be a responsible adult available or on call for emergencies.

5. Facilities

Fire prevention and protection must be emphasized. These standards shall be determined by the State Fire Marshal and the State Department of Health.

Unfinished attic rooms are not acceptable. If basements are used they must be free from dampness, have good lighting, heating, ventilation and window space, with means of quick and easy exit in case of emergency.

Indoor play space shall be adequate and safe for children. Recommended: 25 square feet per child.

The outdoor play area must also be safe and adequate and protected from traffic and other hazards in a manner safe for children. Recommended: 75 square feet per child. Playing in the street or on sidewalk area in front of house is not permissable.

A day care home shall have a telephone with posted telephone numbers of local doctors, fire department, police department, hospitals and parents of children in care.

Provision shall be made for a rest period of at least an hour daily; individual cots are recommended. Mats or sleeping bags may be used if floor is clean and free from drafts and dampness. Cribs for infants should have sides. Beds regularly used by the family should not be used for day care children.

Provision should exist for temporary isolation of the child in case of emergency illness until the parent can make other arrangements.

All food shall be wholesome, well prepared, and the diet shall be carefully planned and shall include at least one pint of milk a day for each child who attends a full day.

6. Special Notes

Liability insurance should be carried by the day care homes.

The State also licenses family group homes which may provide care for six to twelve children age three or over under the terms of a regular license.

A Family Group Home may be given a special license to allow not more than two children age two or under in the group provided that the day care mother is experienced and has at least one aide.

Day Care Homes

VIRGINIA

1. Licensing Agency and Contact

Commonwealth of Virginia
Department of Welfare and Institutions
429 South Belvidere Street
Richmond, Virginia 23220

2. Legal Reference

Virginia Code of 1950, Sections 63.1-195 - 63.1-219.

Minimum Standards for Family Day Care Homes and Independent Foster Homes, (DWI), (adopted March 15, 1949).

"Family day care home" means any private family home in which a child or children are received for care, protection and guidance during only a part of the twenty-four hour day, except children who are related by blood or marriage to the person who maintains the home.

Private family homes which provide day care to less than ten (10) children are also subject to licensing. . . (Minimum Standards. . .Child Care Centers, 1967, p. 1.)

"Child" means any natural person under 18 years of age.

3. Child Eligibility

In a foster home it is necessary that there be at least one adult on duty all the time for every three infants under two years of age and for every six children above two years of age.

The licensee shall require a medical report on each child at the time of acceptance in the home, and provision for immunization against childhood diseases is to be arranged with parents of young children. Provision should be made for medical and dental care.

4. Operator Eligibility

Foster parents must have an understanding of the problems of childhood and sympathy for them. They should be able to give the child the affection and security that he needs.

All members of the foster household including relatives, lodgers and servants, if there are any, must be responsible, wholesome and emotionally stable people of good character and reputation.

It is necessary that a foster home applicant submit a statement from a licensed physician to the effect that applicant and members of the household are free from communicable disease and that the extra responsibility of caring for children will not jeopardize the health of anyone in the house.

5. Facilities

The home must be free from fire hazards and have adequate fire protection. Inspection and approval of such authorities as are either required or permitted to inspect and enforce fire regulations will be required in instances when conditions seem to indicate need for same.

Except where water is obtained from a municipal supply and the house is connected to municipal sewer line, the water supply and sanitary disposal must be approved by the local health officer.

The statute provides for investigation of applicants and facilities, and for inspection of facilities at all reasonable times.

Emphasis should be on homemaking rather than housekeeping, yet the premises must be kept clean. There must be adequate space in the home to meet the needs of the family in addition to that required for boarding children.

There must be space for play indoors and outdoors.

Some provision for refrigeration must be provided. The house must be screened and properly ventilated and must be dry and heated in the winter.

There must be adequate bathing and toilet facilities.

Each child must be provided with a separate bed (except that brothers or sisters when of the same sex may occupy double beds) . . .

Provision for isolation of sick children is necessary.

The diet of children shall be well balanced and adequate for nutritional and health standards. Special diets are to be provided as prescribed by a physician for individual children.

6. Special Notes

1. Licensing Agency and Contact

Department of Social and Health Services, Division of Public Assistance, State of Washington, P.O. Box 1162, Olympia, Washington 98501.

2. Legal Reference

Revised Code of Washington Annotated, Sections 74.15.010 et seq., 74.13.031.

Minimum Licensing Requirements for Foster Family Homes and Family Day Care Homes, (Washington Administrative Code, Chapter 388-65).

Summary of Minimum Licensing Requirements for Family Day Care Home, 1970.

A family day care home is a family dwelling in which a child or children receive care for periods of less than 24 hours per day in place of care in their own homes, whether for pay or not.

Not required to be licensed is a child's legal guardian or relative by blood or marriage (parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, first cousin). Also exempt from licensing are parents who exchange care of one another's children on a mutually cooperative basis, and the occasional care of a neighbor's or friend's child or children.

3. Child Eligibility

No home shall be licensed for more than two children under two years of age, including the children of the day care parents.

A day care home may be licensed for the care of more than six children, including the day care mother's own children under the age of 12, only when:

None of the children are under 2 years of age;

The day care mother is assisted at least half-time by a helper who is 16 years of age or older and who, in the judgment of the Department or the supervising agency, is mature enough to act competently in an emergency;

A planned program of both group and individualized activities including periods of free play is maintained;

A variety of suitable play equipment is provided.

No home shall be licensed for more than 10 children, including the day care family's own children under 12 years of age, unless all of the nonrelated children are from the same family.

Before and after school care for periods of not more than three hours shall be disregarded in the count of children for which a day care home may be licensed, provided the total number of children under 12 years of age does not exceed ten on the premises at any given time.

Regardless of the number of the day care parent's own children, no home which otherwise meets licensing requirements shall be denied a license for the care of a single day care child or single family of such children.

No home shall be licensed for both day care and full-time foster care nor for the care of both children and adults, except with the written permission of the Department or supervising agency.

4. Operator Eligibility

Day care parents must be emotionally stable and have the ability and personality suited to meeting the physical, mental, emotional needs of the children in care.

Day care parents should have all the attributes of a good, normal family, including a genuine interest in children.

The physical and mental health and character of all members of the household must be consistent with the welfare of the children in care. Depending on family's health history, physical examinations may be required. TB examinations are required for household members over the age of 14 where such examinations are available at no cost.

5. Facilities

. . . Home and grounds shall be reasonably free from hazards. If question arises concerning fire danger, the local fire protection authority shall be consulted.

Drinking water from a private source must be approved by the County Health Department or other authorized agency.

The Department or supervising agency shall visit licensed homes periodically to determine whether there is continued compliance with requirements. . .

There shall be adequate, safe play space and equipment both indoors and out. The outdoor play area shall be fenced if conditions require.

There shall be sufficient ventilation, light and heat to insure health and comfort and facilities for sanitary storage, refrigeration, preparation and service of food.

There shall be adequate space and toilet facilities to accommodate all members of the household.

There shall be daily inspection of each child as he enters the home and before he has mingled with other children; if there are indications of illness, cold symptoms, or skin eruptions, the child shall not be admitted, or shall be separated from the other children.

A well-balanced meal at noon, and mid-morning and mid-afternoon snacks shall be provided. The use of raw milk is prohibited.

1. Approving Agency and Contact

Division of Social Services, Department of Welfare, Charleston, West Virginia, 25305.

Contact: Child Welfare Specialist.

2. Legal Reference

West Virginia Code 1966, Section 49-1-1 et seq.

Child Care Services - Agency Standards for Out of Home Care, (DW), 1969. (In Family and Children Services, 12,000 ff.)

Child care is a service purchased by the Agency which offers care of children away from their homes, usually called day care, or in their homes for part of the day while parents work, receive job training, are absent from home or are unable for other reasons to provide continued parental supervision.

Family day care is child care for part of a day provided in a private family home approved by the Agency's service worker to serve no more than six children including the family day care mother's own children.

Family day care homes are approved and supervised by county welfare departments.

3. Child Eligibility

Family Day Care is appropriate for:

A. Children under three years of age.
B. Children of any age for whom a day care center is unsuitable because of special conditions such as physical handicap, mental retardation, or emotional difficulty.
C. Children of one family in which there is a child under three and one or more older children for whom day-time care together is advantageous.
D. Children in scattered residential areas, smaller communities or rural areas where it is not feasible to establish a day care center.
E. Children of school age whose parents' work schedules do not coincide with that of the group day care center.

Each child must receive dental, medical and other health evaluations appropriate to his age upon entering day care and subsequently at intervals appropriate to his age and state of health. Arrangements must be made for medical and dental care and other related treatment for each child by the parents, agency or through community resources or by cooperation of all three. The child's parents must give consent and approval for all medical and dental care.

The Agency service worker must ensure that the size of groups be limited as follows:

Infants Through Six Years of Age

No more than two children under two years of age and no more than five in total, including the family day care mother's own children.

Mixed Age Groups

No more than five children with only two under two years of age, including the family day care mother's own children under 14 years. Six children may be served if all children are over three.

School Age Children

No more than six children including the family day care mother's children under 14 years of age.

4. Operator Eligibility

The day care mother must be at least 21 years of age and no more than 60 years of age. An exception to the upper age limit may be made if the service worker's observation and a physical examination by a licensed physician indicate that her health is adequate to meet the needs of young children.

Others in the home assuming responsibility of the children must be at least 18 years of age.

Persons responsible for the care of the children must have a physical examination including tests for T.B. The physical and emotional health must be assessed annually.

Low income families and AFDC families may apply to be approved as family day care homes.

There must always be provision for another adult on whom the family day care mother can call in case of an emergency.

Volunteers who have had instruction from the Agency may be used in family day care homes at the request of the family day care mother. They may be used by the family day care mother in helping with story telling, food service, playing with children, conducting a craft program, etc.

Guidance for providing adequate food for the children under care may be obtained from a nutritionist of the West Virginia Department of Health or a home economist.

5 Facilities

The service worker with a member of the day care family must apply the home firesafety check list published by the American Insurance Association or obtain inspection and approval of the home by fire authorities. This must be done prior to approval of the home and annually thereafter.

A study must be made of each home before approval is given for the placement of children.

There should be space indoors and outdoors for the child to play. . .

Outdoor play space should be on the premises or easily accessible, free from conditions which may be dangerous to the life or health of the children.

All rooms used for children must have adequate light, ventilation and proper heat.

There should be at least one telephone in the home or nearby for easy communication in the event of an emergency.

Each child should have an individual bed or cot kept in clean and sanitary condition at all times Beds currently used by family must not be used by the child unless clean linen is provided. An infant under 18 months of age should have a crib or bed with sides.

Children must be served a regular hot meal supplying one-third of their daily food needs if they are in attendance more than four hours at the family day care home. In the full-day program, pre-school children must be served a morning snack, a hot lunch and an afternoon snack.

When infants are cared for in the family day care home, the child's own mother should supply the prepared formula for the daily needs of the child.

Children coming to the family day care home after school should be served a snack.

6. Special Notes

The day care family should have standard liability insurance coverage for the protection of both the child and the day care family in case of accident or injury.

The day care family must have standard automobile liability insurance before transporting children.

Day Care Homes

WISCONSIN

There is no statutory provision for licensing of day care facilities caring for less than four children. Any facility caring for four or more children must be licensed as a day care center.

1. Licensing Agency and Contact

Division of Public Assistance and Social Services, State of Wyoming Department of Health and Social Services, State Office Building, Cheyenne, Wyoming 82001.

Contact: Children's Services Specialist.

2. Legal Reference

Wyoming Compiled Statutes 1957, Sections 14-46.1 - 14-46.14.

Minimum Standards for Licensing Child-Caring Facilities, (DHSS), 1970.

A "child-caring facility" shall be any private person, partnership, association or corporation which is operating a business for profit or otherwise, where children under the age of 17 are kept and cared for, for their parents or legal guardians or at the request of the agency which has responsibility for the child.

All privately operated child-caring facilities, except those excluded under the provisions of Section 3 of the certification act, prior to the exercise of care, custody or control of one or more minors, shall be required to be certified by the certifying authority. "Child-caring facilities". . . shall include privately operated. . .group day care agencies. . .day or hourly nurseries. . .all other pre-school establishments not accredited by the state board of education; boarding homes not supervised by an official agency of the State of Wyoming or by any local governmental unit or school district, or any agency thereof; and any other entity, and any person not related by blood or marriage to a minor having the legal or physical care, custody, or control of minors under the age of 17 years and receiving payment therefore where said custody is not supervised by an official agency of the State of Wyoming or by any local governmental unit, school district, or agency thereof.

Provisions of the certification act shall not apply to (1) the care of a child residing in his own home, nor that of his adoptive parents, nor that of any person to whom he is related by blood or marriage; (2) the occasional care of a neighbor's or friend's child where the caretaking person does not regularly engage in such activity; (3) the exchange of care of one mother's children by parents on a mutually cooperative basis; or (4) the care of a child by a person employed to come to the home of the child's parent or guardian; or, (5) day care agencies providing care for less than three minors under the age of 17. . .

Day care is care provided for children out of their own home for two but less than 24 hours per day. Day care includes group day care and family day care.

Family day care: A facility where three to six children receive care for part of a day in a family setting, consisting ideally of both a mother and father. The day care mother's first two (2) preschool children shall be excluded from the count. For example: If a day care mother has three (3) preschool children of her own, she would only count one of them. She could then care for five additional children.

3. Child Eligibility

There should preferably be only one, and in any case not more than two children under two years of age, including the day care family's own children.

A certificate of physical examination signed by a physician currently licensed to practice in the State of Wyoming shall be required of each child admitted. The statement should indicate those children that have any physical or mental defect that would require special care on the part of the operator or that would affect the care given to the other children.

The facility shall accept a child for care only through and by approval of a parent, guardian or certified child-placing agency.

4. Operator Eligibility

Each applicant shall have three letters of reference on file with the Division of Public Assistance and Social Services attesting to his character and child caring ability. The references shall include: (a) one person who has personal knowledge of the applicant's ability to care for children, and (b) two other reputable persons.

A doctor's statement shall certify that each applicant, staff member or volunteer worker is (a) in good health to care for children, (b) free from physical and mental illness, including active tuberculosis, and (c) not addicted to drugs or alcohol. Annual health statements shall be submitted to the Division.

It is required that the age, emotional stability, physical competence and educational experience of the applicant and personnel shall be critically evaluated prior to the issuance of a license.

While children are in care, every child care facility shall have a competent adult on duty at all times.

5. Facilities

The child care facility shall comply with all local ordinances relative to zoning.

The facility shall conform to the state standards with respect to safety, environmental health, heating, and ventilation, as set forth in the Minimum Standards.

A representative of the Division of Public Assistance and Social Services will call at the facility to determine whether minimum requirements are met and to make a study which includes an evaluation. This includes an evaluation of (a) the plan for child care, (b) the program, and (c) the administrative structure. A fire and health inspection is required for a facility classified as group day care for six (sic) or more children or boarding care for four or more children. . .

The premises of all child care facilities shall be open for inspection, upon request at reasonable times, by any authorized representative of the State Department of Public Welfare or the Certification Board.

Attic or basement rooms shall be dry, heated, lighted, ventilated and free of fire hazards, and have at least two exits from each floor.

Beginning September 1, 1971, new facilities will be approved for certification only when operating on the ground floor. Facilities which have already been approved for certification before September 1, 1971, will be given approval until September 1, 1973.

Two hundred square feet of outdoor play space should be provided for each child. Outdoor play space should be suitably fenced or enclosed.

Bath and toilet facilities shall be located in the same building.

The facility shall provide a well-balanced and nutritional diet.

6. Special Notes

Under established licensing procedure, the state Child Care Certification Board may recommend waiver of any non-statutory standard.

APPENDICES

APPENDIX I

TABLES

I. State Licensing of Child Day Care Centers

II. State Licensing of Child Day Care Centers (Cont'd.)

III. Child Eligibility for Admission to Day Care Centers

IV. Minimum Staffing Requirements for Day Care Centers, By Age of Children

V. Qualifications of Day Care Center Staff under State Licensing Requirements

VI. State Requirements for Day Care Center Facilities

VII. State Requirements for Day Care Center Facilities - Approvals Relating to Construction And/Or Physical Expansion

VIII. State Requirements for Day Care Center Facilities - Compliance with Other Laws, Ordinances, Regulations, Etc.

IX. State Licensing of Family Day Care Homes

X. State Licensing of Family Day Care Homes - Operator, Staff, Household Resident Requirements

XI. State Licensing of Family Day Care Homes - Facility Requirements

Tables - Notes

Each table reflects information from licensing documents available as of September 1971. Tables I and II also include some items not incorporated or fully covered in the text of Part I (Day Care Centers) -- provisional or temporary licensing, dispensation provisions, remedies available to licensees or applicants affected by adverse decisions of the licensing authority, penalties for violations of licensing requirements, injunctive relief.

Other than the table entries for Missouri and New Hampshire, the same documents were used to prepare the text for Parts I and II. With this exception and those noted above, the applicable main text may be consulted for any further clarification of the items appearing in the tables.

Table I

STATE LICENSING OF CHILD DAY CARE CENTERS

State	State Department Responsible for Licensing	Centers Licensed			Provisional Licenses		Dispensation Provisions for Facilities in Substantial Compliance
		If No. Children Exceeds	Child Age Range[1]		Initial (Max. Period of Effect)	Renewal Permitted	
			Between	And			
Alabama	Pensions and Security	4	3 (2 1/2 if licensed before July 1969)				
Alaska	Health and Welfare	6		16	less than 1 yr.		X
Arizona	Health	4		16	90 days		X
Arkansas	Public Welfare	5	3	6	(Reasonable time-specified in license)	X (may not receive more than 2 such licenses)	
California	Social Welfare		2	16			X
Colorado	Social Services	9	2 1/2	16	6 mos.	X (in 6-month periods up to 2 yrs.)	
Connecticut	Health	4	4 wks.	15	6 mos.	X (for 6 mos.)	
Delaware	Health and Social Services	11	infancy	18			
District of Columbia	Human Resources			15			

STATE LICENSING OF CHILD DAY CARE CENTERS

State	State Department Responsible for Licensing	Centers Licensed			Provisional Licenses		Dispensation Provisions for Facilities in Substantial Compliance
		If No. Children Exceeds	Child Age Range[1]		Initial (Max. Period of Effect)	Renewal Permitted	
			Between	And			
Florida (Dade, Duval and Orange Counties)	Health and Rehabilitative Services	5	infancy	17 (Dade and Duval)			
Georgia	Family and Children Services	6	infancy	18	1 year (Temp. license)	X (for 1 additional yr.)	
Hawaii	Social Services and Housing	5	2		6 mos.	X (at departmental discretion)	X
Idaho	Public Assistance	4	2 1/2	18	6 mos.	(no more than 1 can be issued to same facility in a 12-mo. period)	
Illinois	Children and Family Services	8	infancy	18	6 mos.		
Indiana	Public Welfare		3		1 year	X (not for more than 1 consecutive yr.)	X
Iowa	Social Services	5	2		1 year	(not renewable on same unmet requirement)	

STATE LICENSING OF CHILD DAY CARE CENTERS

State	State Department Responsible for Licensing	Centers Licensed			Provisional Licenses		Dispensation Provisions for Facilities in Substantial Compliance
		If No. Children Exceeds	Child Age Range[1]		Initial (Max. Period of Effect)	Renewal Permitted	
			Between	And			
Kansas	Health	4	3		6 mos. (Also may issue temporary permits pending completion of department's evaluative study. Permit terminates when license-full or provisional-granted or refused.)	X (ordinarily, not more than twice)	X
Kentucky	Child Welfare	6	infancy	18	1 year	No	
Louisiana	Public Welfare	4	infancy	17	(Department may issue temporary license to other than public profit-making facilities)		
Maine	Health and Welfare	12	2 1/2	16			
Maryland[5]	Health and Mental Hygiene	4	1	7			

STATE LICENSING OF CHILD DAY CARE CENTERS

State	State Department Responsible for Licensing	Centers Licensed			Provisional Licenses		Dispensation Provisions for Facilities in Substantial Compliance
		If No. Children Exceeds	Child Age Range1/		Initial (Max. Period of Effect)	Renewal Permitted	
			Between	And			
Massachusetts	Public Health	2	3 (under 3 only with approval of Dept.)	7	6 mos. (temp. license for service not previously operated)	X (once, for 6-month period)	
Michigan	Social Services		2 1/2	6	1 year	X (May not be in force more than 3 yrs.)	
Minnesota	Public Welfare	5	3	12	1 year	No	
Mississippi (Voluntary Certification)	Public Welfare	6	6 weeks		1 year (temp. certificate)	X (succeding yr. only)	
Missouri (1971 Regs.)	Public Health and Welfare	6	2	17			
Montana	Public Welfare	6	2	12	6 mos.	No	X
Nebraska	Public Welfare	7	2	16			
Nevada	Health, Welfare and Rehabilitation	4	infancy	16	(May issue license which waives specific requirements for stated time period.)		

STATE LICENSING OF CHILD DAY CARE CENTERS

State	State Department Responsible for Licensing	Centers Licensed			Provisional Licenses		Dispensation Provisions for Facilities in Substantial Compliance
		If No. Children Exceeds	Child Age Range1/		Initial (Max. Period of Effect)	Renewal Permitted	
			Between	And			
New Hampshire (1971 Regs.)	**Health and Welfare**	6	3	16	6 mos.	X (only for good cause)	
New Jersey	**Education**	5	2	5			
New Mexico	**Health and Social Services**	4	infancy		(Temp. license granted for reasonable time to correct specified deficiencies.)		X
New York	**Social Services**	6	8 weeks	15			X
North Carolina (Voluntary Licensing)	**Social Services**	15	infancy		(For specified period to comply with full requirements)		
North Carolina (Effective Jan. 1, 1972)	**Child Day-Care Licensing Board**	5		13	1 year	No	
North Dakota	**Public Welfare Board**		3 (special approval required for licensure for care of children under 3)		60 days (Temp. license pending receipt of required reports.)		

STATE LICENSING OF CHILD DAY CARE CENTERS

State	State Department Responsible for Licensing	Centers Licensed			Provisional Licenses		Dispensation Provisions for Facilities in Substantial Compliance
		If No. Children Exceeds	Child Age Range[1]/		Initial (Max. Period of Effect)	Renewal Permitted	
			Between	And			
Ohio	Public Welfare	4	infancy		less than 1 yr.	No	
Oklahoma	Institutions, Social and Rehabilitative Services	5	infancy	18	1 year	(May be extended by Dept. in case of emergency.)	
Oregon	Public Welfare Division	4	infancy	15	180 days	(Only 1 may be issued in any 12-month period.)	
Pennsylvania	Public Welfare	6	3	16	6 months	X (3 times)	
Puerto Rico	Social Services	5	2	18			
Rhode Island	Social and Rehabilitative Services	2	3	14			
South Carolina	Public Welfare		infancy		"Temporarily"		
South Dakota	Public Welfare	5	infancy		1 year	X (Not more than 3 yrs.)	
Tennessee	Public Welfare	7	2	17	1 year (temp. license)	X (not more than 1 consecutive yr.-succeeding yr. only)	

STATE LICENSING OF CHILD DAY CARE CENTERS

State	State Department Responsible for Licensing	Centers Licensed			Provisional Licenses		Dispensation Provisions for Facilities in Substantial Compliance
		If No. Children Exceeds	Child Age Range1/ Between	And	Initial (Max. Period of Effect)	Renewal Permitted	
Texas (1971 standards)	Public Welfare	6	infancy	14			
Utah	Public Welfare	6	2	14			X
Vermont (Proposed regs.)	State Office of Economic Opportunity	11	infancy	16	1 year		X (Special license may be issued to permit certain exceptions.)
Virginia	Welfare and Institutions	9	infancy	18	6 months	X (not to exceed period of 2 successive yrs.)	
Washington	Social and Health Services		2 1/2		6 months	X (not to exceed 2 yrs.)	
West Virginia	Welfare	5	2		For limited period.		
Wisconsin	Health and Social Services	3	infancy	7	6 months	X (up to 2 yrs. in 6-month periods)	X
Wyoming	Health and Social Services	7	2	17	6 months	No	X (Waiver of any non-statutory standard)

Table II

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Alabama			**Fine, not more than $100, or imprisonment for not more than one year, or both...**		**State-owned and controlled institutions and agencies; schools giving scholastic instruction.**	
Alaska	X	X	**Fine not exceeding $200.**		**Primarily educational establishments.**	**Greater Anchorage Borough**
Arizona	X	X	(guilty of misdemeanor)	X	Homes of parents or blood relatives; public, private and parochial schools; religious organizations conducting child care services in conjunction with religious services.	
Arkansas	X	X	**Fine, $25 to $100. (Each day constitutes separate offense.)**	X	**Religious instruction schools or classes; churches, shopping centers, businesses operating short period service for parents attending services or shopping, etc; non-custodial educational facilities; public school kindergartens; persons caring for children of not more than 2 families at the same time.**	**Little Rock** **North Little Rock**

Table II
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STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
California	X	X	(guilty of misdemeanor)	X	Regular elementary schools; care by relatives; occasional or irregular uncompensated care of 3 hours or less by parental friends.	
Colorado	X		Fine, $100 to $300.	X	Religious instruction schools or classes; hospitals and maternity homes licensed by State health department; church and shopping center operated facilities providing short period service while parents attending services or patronizing business; juvenile courts; occasional child care; kindergartens in elementary schools.	Denver
Connecticut	X	X	Fine, up to $100 for each offense.	X	School system facilities; teacher training labs for accredited institutions of higher education; after-school or vacation recreation facilities; church-related community centers; informal cooperative arrangements among friends and neighbors in their own homes.	East Hartford

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Delaware	X	X	Fine, not more than $100 or imprisonment of not more than 3 mos. or both.		Institutions, agencies, etc. under state ownership and control; maternity wards of general hospitals.	
District of Columbia			Fines, not more than $200 for 1st offense, not more than $500 for 2nd and subsequent.		Relatives within the 4th degree.	
Florida (Dade, Duval, Orange Counties)	X			X	Schools and colleges; institutions subject to regulation by another governmental agency; pre-school programs of less than 4 hours per day; child care programs on U.S. property other than in a federal housing project.	Counties: Alachua Bromard Collier Escambia Hillsborough Lake Lee Leon Brevard Mantee Martin Okaloosa Palm Beach Pinellas Polk Sarasota Volusia

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Georgia	X	X	Fine, $50 to $200 for each day of operation without license.		Child welfare agencies and facilities (where children and youth are detained) operated by State, county or municipal government.	
Hawaii	X		Fine, not more than $200.		Kindergartens or schools established for solely educational purposes; athletic or social organizations; friends, relatives or neighbors providing occasional care.	
Idaho	X	X	(guilty of misdemeanor)	X	Occasional or irregular care of neighbor's, friend's or relative's children by person not ordinarily engaged in child care.	
Illinois	X	X	Fine, $100 to $1,000 or imprisonment in a penal institution other than the penitentiary not longer than 1 year or both.		Kindergartens, nursery schools etc. operated by school systems or institutions of higher learning; shopping center day care services; day care centers on federal government premises, other special activities programs conducted by charitable and governmental organizations.	Chicago Danville E. St. Louis

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Indiana		X	Fine, not more than $300 or imprisonment for not more than 6 mos., or both.		State institutions maintained and operated by State; schools and bona fide educational institutions.	
Iowa	X	X	Fine, $500 or imprisonment in county jail, or both.		Institutions under management of the Department of Social Services.	
Kansas		X	Fine, $5 to $50 for each day of violation.		State institutions maintained and operated by state.	
Kentucky			Fine, $20 to $200, or imprisonment for not more than 30 days or both.		Facilities operated by religious organizations while services are being conducted.	
Louisiana	X		Find, $25 to $200 for each day of operation without license.		Facilities under state management; part-time programs of 4 hrs. or less; facilities providing only irregular care (hourly basis); elementary schools having grades in addition to nursery and kindergarten which accept children only over 2 yrs. and 8 mos. of age.	
Maine	X	X	Fine, not more than $500 or imprisonment not more than 11 mos. or both.		Primarily educational facilities.	Lewiston Portland

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STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Maryland	X	X	Fine, not more than $500 for 1st offense; up to $1,000 for any subsequent. Each day after 1st conviction is separate offense.	X	Facilities operated by official boards of education.	Baltimore City Counties: Montgomery, Baltimore, and Prince George's
Massachusetts	X	X	Fine of not more than $500 or imprisonment for not more than 6 mos. or both.		Sunday schools conducted by church or summer camp; kindergartens or nursery schools, part of organized educational systems; kindergartens or nursery schools operated by state agencies whose services are in accord with minimum requirements for licensing.	
Michigan	X	X	Fine, not less than $25 nor more than $100 or imprisonment in county jail, not less than 30 nor more than 90 days or both.	X	Facilities operated by local boards of education and other governmental units; boarding schools.	

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Minnesota	X	X	(guilty of misdemeanor)		Facilities managed and controlled by Welfare Commissioner or Youth Conservation Commission; facilities supervised or licensed by other State agencies; facilities caring for children from only 1 family for less than 30 days; day care facilities providing short duration services while parents on premises; day care facilities doing business for less than than 30 days in any year; facilities adjudged primarily educational.	
Mississippi (Voluntary Certification)						
Missouri	X	X	(guilty of misdemeanor; penalties provided by law)		Facilities operated by a school system; facilities operated by a business establishment for customer convenience; graded boarding schools, nursery schools, summer camps, hospitals, sanitariums or homes conducted primarily to provide education, recreation, medical treatment, or nursing or convalescent care for children; well-known religious orders; institutions or agencies maintained or operated by state, city or county.	Kansas City St. Louis

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Montana	X	X		X	Care by relatives; chiefly educational facilities.	
Nebraska	X (May make reapplication 6 mos. after revocation or denial)		Fine, $50 to $200 or imprisonment in county jail not more than 30 days.		Casual care at irregular intervals.	Lincoln Omaha
Nevada	X		(Person may be referred to State Attorney General for prosecution.)		Home's of parent or guardian or relatives; public institutions; maternity homes; facilities or groups furnishing care to 2 or more children all of whom are related to each other; facilities in a county or incorporated city with an established licensing agency and an ordinance requiring licensure.	Las Vegas Clark County Washoe County
New Hampshire	X	X	Fine, up to $100 or imprisonment up to 1 yr. or both.		Summer camps; hospitals; public schools; approved private schools; facilities providing temporary care not exceeding 30 days; State, county, and town officials performing authorized welfare functions.	Concord

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
New Jersey	X		(guilty of misdemeanor)		State Board of Child Welfare; aid societies of church or fraternal groups organized for relief of members; certain agencies subject to supervision of State Dept. of Institutions and Agencies; public agencies operated by county, city, municipality or school district.	
New Mexico	X		(provided)	X	Federally operated facilities; public schools; private schools (other than for retarded or disturbed children); nurseries in churches for children of parents attending services.	
New York					Day camps; kindergartens or nurseries operated by schools providing elementary or secondary education; after school religious education programs; cities including one or more counties; parents, relatives.	New York City
North Carolina (Voluntary Licensing)						Jacksonville

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
North Carolina (Effective Jan. 1, 1972)	X	X	(guilty of misdemeanor)		Public schools; non-public schools which serve public school age children; summer camps (full-time), summer day camps; vacation Bible schools; relatives, guardians, legal custodians.	
North Dakota	X	X	Fine up to $100 or imprisonment in county jail up to 30 days or both.		Homes or institutions under State management and control; relatives.	
Ohio	X	X	Fine of up to $100 for 1st offense, up to $500 for each subsequent offense.	X	Child care in place of worship during religious services.	Cincinnati
Oklahoma	X	X	Fine not exceeding $500 or imprisonment in county jail not exceeding 1 yr. or both.	X	Informal arrangements with friends, neighbors and others; in-own-home care; nursery schools, kindergartens and other primarily educational, recreational or medical treatment facilities; homes of relatives.	Oklahoma City Cleveland County
Oregon	X	X	(violation is misdemeanor)	X	In-own-home care; occasional care by person not ordinarily engaged in providing day care; care by providers of medical services; facilities	Portland Multnomah County

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
					providing primarily educational care (unless to preschool children for over 4 hrs.); facilities providing supervised training in specific subjects; care incident of athletic or social activities sponsored by club or hobby group; facilities operated by school district, political subdivision of State or governmental agency; group care for physically handicapped children or the mentally retarded.	
Pennsylvania		X	Fine $25 to $300 plus cost of prosecution, imprisonment of 10 to 30 days if default of payment of fine. Each day of operating without license is separate offense.	X	Care in places of worship during religious services; non-profit day care centers; facilities operated by State or federal governments or supervised by State Dept. of Public Welfare.	
Puerto Rico	X	X	Fine, up to $1,000 or confinement in jail not exceeding 1 yr. or both.	X	Department of Education; persons caring for 1 or 2 children or children related by consanguinity or affinity.	

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Rhode Island	X		1st offense - fine up to $100 or imprisonment up to 6 mos., 2nd or subsequent offense - fine up to $500 or imprisonment up to 1 yr. or both.		Relatives; institutions receiving aid from or maintained by town, city or State; institutions with special charters; charitable institutions established in the State on April 30, 1948; nursery schools operating less than 4 hrs. per day.	
South Carolina	X		Fine up to $100, or imprisonment up to 1 yr. or both.		Facilities existing on March 9, 1956 operated by established religious denominations; State Children's Bureau; State funded facilities; primarily educational facilities.	
South Dakota	X		Fine, $5 to $100 or imprisonment up to 30 days or both.	(May take action to prevent continued operation of unlicensed facility)	Primarily educational services (including nursery schools); recreational or summer camps; casual care-babysitting; exchange care under informal mutual arrangements; care furnished by legal guardians or institutions operated by other departments of state government (other than Public Welfare.)	

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Tennessee	X	X	Fines $50 to $200 for each day of operation without license.		Facilities under supervision of bona-fide religious organizations; facilities under direct management of State, county or municipality.	
Texas	X	X		X	Institutions and agencies owned and operated by the State.	Austin
Utah	X		(guilty of misdemeanor)		Care by relatives; care in centers provided by boards of education or parochial educational institutions.	
Vermont	X	X	Fine up to $500 or imprisonment not more than 60 days or both.		Person caring for children of not more than 2 families (other than that of provider of care;) hospital or establishment licensed by Dept. of Health, or operator of recreational or therapeutic program, unless the child care services are not incidental to its primary purpose; day facilities operated by religious organizations in connection with religious services or church sponsored activities; Dept. of Education supervised preschools for children of less than compulsory school age.	

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
Virginia		X	Fine up to $100 or imprisonment for not more than 12 mos., or both. Each day of violation constitutes separate offense.	X	Facilities required to be licensed as summer camps; public schools or bona fide educational institutions; schools for educational instruction of children 3 - 5 yrs. of age at which those 3 or 4 yrs. of age attend no more than 4 hrs. per day and those 5 yrs., no more than 6 1/2 hrs. per day.	Hampton Newport News Martinsville Alexandria Fairfax County Arlington County
Washington	X		(guilty of misdemeanor)	X	Relatives; casual care by friends and neighbors or care on mutual exchange basis; nursery schools or kindergartens, primarily educational and in which no child enrolled over 4 hrs. per day; schools; seasonal recreational or educational camps of 3 mos. or less duration; hospitals licensed under 70.41 RCW; facilities providing care while parents on premises to participate in activities other than employment; certain facilities for the mentally and physically handicapped; agencies in operation prior to March 1957 not receiving State or federal funds, and supported in part by an endowment or trust.	

STATE LICENSING OF CHILD DAY CARE CENTERS (Cont'd)

State	Denial, Suspension, Revocation - Applicant/Licensee Remedies		Enforcement		Exclusions and Exemptions from State Licensing Requirements	Political Subdivisions with Separate Licensing Requirements
	Admin. Hearing	Judicial Review	Penalties	Injunction		
West Virginia	X			(Licensing board shall take action to prevent continued operation of unlicensed facility.)	County shelters for detention of delinquent children or those charged with delinquency.	
Wisconsin	X	X	Fines up to $500 or imprisonment not more than 1 yr. in county jail or both.	X	Care by relatives or guardians; public or parochial schools; YMCA; in-own-home care for less than 24 hrs. a day.	
Wyoming	X	X	Fines, $50 to $200 for each day of operation without license.		In-own-home care; occasional care by person not regularly engaged in such activity; informal exchange of care by parents on mutually cooperative basis; day care agencies providing care for less than 3 minors under 17 yrs. of age; foster homes supervised by State or local government unit or school district; ranches or farms which do not offer services to homeless, delinquent or retarded children; summer camps operated by non-profit organizations.	Casper Cheyenne

Table III

CHILD ELIGIBILITY FOR ADMISSION TO DAY CARE CENTERS

State	Children Under 2 Yrs. Admitted	Medical Examination Required		Tuberculosis Examination Required		Immunizations Required							Boosters, or Follow-up Specified
		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Smallpox	Polio	Tetanus	Diph-theria	Other	
Alabama	No	X	X (or when need indicated)	(R) (if evidence in family)			(R)	(R)	(R)	(R)	(R)	(R) typhoid	
Alaska	Yes	X	X										
Arizona	Yes												
Arkansas	Yes (if special requirements met)	X											
California	Not generally accepted	X		X		X	X	X	X	X	X		
Colorado	No	X	X			(desirable)	X	X	X	X	X		
Connecticut	Yes	X				X	X	X	X		X		
Delaware	Yes	X (except for after school care)	X	X	X	Must show evidence of appropriate immunizations.							

Table III
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CHILD ELIGIBILITY FOR ADMISSION TO DAY CARE CENTERS

State	Children Under 2 Yrs. Admitted	Medical Examination Required		Tuberculosis Examination Required		Immunizations Required							Boosters, or Follow-up Specified
		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Smallpox	Polio	Tetanus	Diph-theria	Other	
District of Columbia	Yes	(R)						(R) Children over 2 yrs.			(R) Children over 6 mos. and under 12 years		
Florida (Dade, Duval, Orange Counties)	Yes	X	X			Appropriate to age of child (R)							(R)
Georgia	Yes	X	X (preferably every 6 mos. for children under 2 yrs.)			X	X	X	X	X	X		
Hawaii	No	X	X										
Idaho	No												
Illinois	Yes (if additional requirements met by center)	X	every 2 yrs (Exception: in accordance with Illinois School Code for school age child)	X	(every 2 yrs.)	X	X	X	X	X	X		

Table III
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CHILD ELIGIBILITY FOR ADMISSION TO DAY CARE CENTERS

State	Children Under 2 Yrs. Admitted	Medical Examination Required		Tuberculosis Examination Required		Immunizations Required							
		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Smallpox	Polio	Tetanus	Diph-theria	Other	Boosters, or Follow-up Specified
Indiana	No	X	X	X	X		X	X	X	X	X		
Iowa	No	X					X	X		X	X	Any other deemed necessary by local or State health authorities.	X
Kansas	No	X	X				X	X	X	X	X		
Kentucky	Yes												
Louisiana	Yes	X	X	X			X	X	X	X	X		(R)
Maine	No	X				X	X	X	X	X	X		X
Maryland5/	Yes						X	X	X	X	X		Required prior to admission if initial DPT more than 3 yrs. before admission
Massachusetts	(only upon Dept. approval)	X	X				X	X	X	X	X		(R) Prior to or immediately after admission for children over 3 whose initial DPT was more than 2 yrs. prior.

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CHILD ELIGIBILITY FOR ADMISSION TO DAY CARE CENTERS

State	Children Under 2 Yrs. Admitted	Medical Examination Required		Tuberculosis Examination Required		Immunizations Required							Boosters, or Follow-up Specified
		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Smallpox	Polio	Tetanus	Diph-theria	Other	
Michigan	No	X	X	X		X	X	X	X	X	X		X
Minnesota	No	X	X	X	X	X	X	X	X	X	X		X
Mississippi (Voluntary Certification)	Yes	X		When need indicated			X		X	X	X	If required by county health department.	
Missouri (1971 Regs.)	No	X	X	X	X		X	X	X	X	X		
Montana	No	X				X	X (if under 5 yrs.old)	X	X	X	X		
Nebraska	No	(R)				(R)	X	X	X	X	X		
Nevada	Yes (maximum of 8)	X	X				X	X	X	X	X		
New Hampshire (1971 Regs.)	No	X	X			X	X	X	X	X	X		Polio - child over 3 yrs., immunized over 2 yrs. prior
New Jersey	No	X											
New Mexico	Yes	X	X				(R)	(R)	(R)	(R)	(R)		

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CHILD ELIGIBILITY FOR ADMISSION TO DAY CARE CENTERS

State	Children Under 2 Yrs. Admitted	Medical Examination Required		Tuberculosis Examination Required		Immunizations Required							Boosters, or Follow-up Specified
		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Smallpox	Polio	Tetanus	Diphtheria	Other	
New York	Yes	X	X (periodic for infants)			X	X	X	X	X	X		
North Carolina (Voluntary Licensing)	Yes	X	(infants under 1 yr., every 4 mos.			(Those recommended for age of child; may include those noted above.)	X	X	X	X	X		
North Carolina (Effective Jan.1, 1972)		X	X				X	X	X	X	X		
North Dakota	(Only when specially licensed to accept)	X (if care purchased by county)	X			As recommended by family physician							
Ohio	Yes	X	X	X	X	X (Rubeola) (Rubella, when vaccine approved)	X	X	X	X	X		
Oklahoma	Yes (when special conditions met)	X				Required but not specified							

Table III
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CHILD ELIGIBILITY FOR ADMISSION TO DAY CARE CENTERS

State	Children Under 2 Yrs. Admitted	Medical Examination Required		Tuberculosis Examination Required		Immunizations Required							Boosters, or Follow-up Specified
		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Smallpox	Polio	Tetanus	Diph-theria	Other	
Oregon	Yes	X		X	X	X	X	X	X		X		
Pennsylvania	No	X	X	X	X		X	X	X	X	X		
Puerto Rico	No	X	(as often as necessary)			X				X	X	Chickenpox, Typhus, Mumps, Other diseases common to children	
Rhode Island	No	X				X	X	X	X	X	X		
South Carolina	Yes	X		(When history indicates)			X	X	X	X	X		
South Dakota	Yes	X		X									
Tennessee	No	X	X	(If evidence of T.B. in family)		X	X	X	X	X	X		(R) (As recommended by physician.)
Texas (1971 Standards)	Yes	X		X		X (Rubella and rubeola)		X	X	X	X	Any other designated by State Board of Health	

Table III
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CHILD ELIGIBILITY FOR ADMISSION TO DAY CARE CENTERS

State	Children Under 2 Yrs. Admitted	Medical Examination Required		Tuberculosis Examination Required		Immunizations Required							
		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Smallpox	Polio	Tetanus	Diphtheria	Other	Boosters, or Follow-up Specified
Utah	No	X					(R)	(R)	(R)		(R)	Others, as recommended by family physician	
Vermont	Yes (but not recommended)	(R)				All appropriate to age of child							
Virginia	Yes	X	X	X		X (Rubeola)	X	X	X	X	X		
Washington	(only with special permission of Department.)	X				(For infants under 2 yrs., statement of immunization status.) All appropriate to age of child							
West Virginia	No	X				(R) (perhaps)	(R)	(R)	(R)	(R)	(R)	Mumps (R) (perhaps)	
Wisconsin	Yes	X	X (every 6 mos. for child under 24 mos.)	X	X	X (Rubeola, rubella)	X	X	X	X	X	Mumps	X
Wyoming	No	X											

Table IV

MINIMUM STAFFING REQUIREMENTS FOR DAY CARE CENTERS, BY AGE OF CHILDREN

(In mixed-age groups the ratio for the youngest child is generally applicable.)

State	Maximum No. of Children Per Child Care Staff Member, If Age of Child Is:						Minimum No. Adults Required on Premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
Alabama			10	20	20	25	2
Alaska	10; 5(R)	10; 5(R)	10	10	10	10	2
Arizona	10	10	15	20	25	25	2 (When number children exceeds 10)
Arkansas	4	6	10	10	10		2 (If 10 or more children in attendance)
California		12	12	12	12	12	
Colorado		8 (2 1/2-3)	10	12	15	15	2
Connecticut	4	4	7	9	9	12	2
Delaware	5 (0-1 yr. or not walking.) 8 (1 yr. or walking - 2 1/2 yrs)	8 (1-2 1/2) 15 (2 1/2-3)	15	20	20	25	
District of Columbia	6 (under 18 mos.) 10 (18 mos.- 2 yrs.)	10	10	10	10	(R) - 2 staff to each group of more than 10	
Florida (Dade, Duval, Orange counties)	5	10	10	10	10	15	

MINIMUM STAFFING REQUIREMENTS FOR DAY CARE CENTERS, BY AGE OF CHILDREN

(In mixed-age groups the ratio for the youngest child is generally applicable.)

State	Maximum No. of Children Per Child Care Staff Member, If Age of Child Is:						Minimum No. Adults Required on Premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
Georgia	7 (infancy - 18 mos.) 10 (18 mos. - 2 yrs.)	10	15	18	20	25	2
Hawaii		10	15	20	25	25	1
Idaho		10 (2 1/2 -3)	10	10	10		
Illinois	6	8	10	10 full-day 20 1/2 day or less	25	25	1
Indiana			10	12	15	20	2
Iowa		6	12	15	18	25	1 (when group numbers less than 6 in morning and evening)
Kansas			12	12	16	16	1
Kentucky	6	8	10	12	15	15	2 (if more than 10 children)
Louisiana	6 (under 18 mos. (R)) 14 (over 18 mos.(R))	14(R)	14(R)	14(R)	14(R)	14(R)	2 (if more than 10 children enrolled)

MINIMUM STAFFING REQUIREMENTS FOR DAY CARE CENTERS, BY AGE OF CHILDREN

(In mixed-age groups the ratio for the youngest child is generally applicable.)

State	Maximum No. of Children Per Child Care Staff Member, If Age of Child Is:						Minimum No. Adults Required on Premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
Maine		8 (2 1/2-3)	10	15	18	20	2
Maryland5/							
Massachusetts			10	10	15	15	2
Michigan		10 (2 1/2-3)	10	12	20		2
Minnesota			10	10	10	10	1
Mississippi (Voluntary Certification)	5	8	10	15	20	25	2
Missouri (1971 Regs.)		5	10	10	15	15	2 (if over 6 child'n. present)
Montana		8 (desirable)	8 (desirable)	10 (desirable)	10	10	2
Nebraska		7 (admission not recommended)	7	7	7	12	
Nevada	2	10	10	10	10	15	1
New Hampshire (1971 regs.)							2 (one, 21 yrs. of age; other, not under 16)
New Jersey		8(R)	10(R)	12(R)	20(R)		2 (for any total group)

MINIMUM STAFFING REQUIREMENTS FOR DAY CARE CENTERS, BY AGE OF CHILDREN

(In mixed-age groups the ratio for the youngest child is generally applicable.)

State	Maximum No. of Children Per Child Care Staff Member, If Age of Child Is:						Minimum No. Adults Required on Premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
New Mexico	10	10	15	15	15	15	
New York	4 (2 - 18 mos.) 5 (18-24 mos.)	5	5	7	7	10	
North Carolina (Voluntary Licensing)	8 under 8 mos. or 18-30 mos. 6 under 8 mos. - 18 mos.	12	15	20	25	30	1 (per group) (if only[2] school age children in care)
North Carolina (effective Jan. 1, 1972) No ratios more stringent than those in table; applies to facilities caring for 30 or more children.	8	12	15	20	25	25	
North Dakota	3	5	10	10	12	12	2 (2nd attendant may be teenager)
Ohio	8	10	15	15	20	20	2 (when 5 or more children present)
Oklahoma	4 (infants in cribs)(R) 6 (10 mos. to 2 yrs.)(R)	8(R)	12(R)	15(R)	15(R)	20(R)	1 (for each floor)

MINIMUM STAFFING REQUIREMENTS FOR DAY CARE CENTERS, BY AGE OF CHILDREN
(In mixed-age groups the ratio for the youngest child is generally applicable.)

State	Maximum No. of Children Per Child Care Staff Member, If Age of Child Is:						Minimum No. Adults Required on Premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
Oregon		10	10	10	10	10	
Pennsylvania			8	10	10	13	2
Puerto Rico (1 for every 6 handicapped children)		15	15	15	15	15	
Rhode Island			10	15	25		2
South Carolina	6	8	10	14	15	15	2
South Dakota	5	5	8	8	8	10	2
Tennessee		10	10	15	25	30	1 (2nd must be available in case of emergency)
Texas (1971 standards)	4 (under 18 mos.) 6 (18 mos. but under 2 yrs.)	8	12	15	18	20 (6 or 7 yrs) 25 (8 yrs. or over)	
Utah		10	15	15	20	25	2
Vermont (Proposed regulations)	2	8	8	8	8		2 (except during brief periods of rest and relief)
Virginia	3	10	10	10	10	10	2
Washington	10 (2 1/2 to 3 yrs.)	10	10	10	10	10	2 (if 10 or more children present)

MINIMUM STAFFING REQUIREMENTS FOR DAY CARE CENTERS, BY AGE OF CHILDREN
(In mixed-age groups the ratio for the youngest child is generally applicable.)

State	Maximum No. of Children Per Child Care Staff Member, If Age of Child Is:						Minimum No. Adults Required on Premises
	Under 2	2 to 3	3 to 4	4 to 5	5 to 6	School age	
West Virginia (Recommended for centers large enough to group by age)		8	10	15	18	20	2 (desirable)
Wisconsin	3 (infant to 1 yr.) 4 (1 to 2 yrs.)	6 (2-2 1/2 yrs.) 8 (2 1/2 - 3 yrs.)	10	12	16	16	2 (if 9 or more children present) (2nd available if 8 or less present)
Wyoming		10	10	15	15	20	1

Table V

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Alabama		High school or equivalent, 3 months day service teaching experience. In large center-college training, child care and development experience.		High school or equivalent.	Staff who handle food-food handler's permit if such issued in local jurisdiction.	X	X	X	X
Alaska	21	High school or group care experience.				X (serolo-by (R))	X (serology (R))	X	X
Arizona	21		18 (May be 16-18 if supervised by adult.)		Must be 18 years of age; if supervised by adult, may be 16.	X		X	X
Arkansas	21	High school or equivalent.	21	High school or equivalent.	May be between 12 and 21 years.	X (including V.D. test)	V.D. test	X	X
California	21	High school plus 12 semester units or formal training in early childhood education plus courses in administration plus 4 yrs. experience or Other combinations of education/experience or Bachelor's degree in early childhood education.	18	Teachers - Enrollment in course leading to high school diploma or equivalent plus 2 years experience plus completion of 12 semester units or formal training in early childhood education or High school graduation plus 12 semesters in early childhood education.	Part-time staff - at least 16 years.	X		X	X

Table V
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QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Colorado		College graduate, major in early childhood education.		Head teacher - Same as director		X	X	X	X
			18	Group leader - High school					
			16 (Helpers)						
Connecticut		High school or equivalent plus one year of experience or served as a program director for 20 years or more.		Program Assistant - High school or equivalent or served as a program assistant for 20 years or more.		X	X	X	(every 3 yrs.)
Delaware	21	High school, formal training in early childhood development plus 3 years experience. (If not qualified in early childhood development, consultant is required.)	18	Teachers - High school or equivalent, 12 courses in early childhood development, 1 year experience.	Aides - At least 14 years of age; reliable.	X	X	X	X
			16	Infant care staff - Experience and/or training in infant care.					
District of Columbia		Equipped for work by training and experience.		Equipped for work by training dnd experience.		(R)	(R)	(R)	(R)
Florida (Dade, Duval Orange Counties)	21	Qualified through training and experience.	18	Qualified through training and experience	Food service supervisor - ability to speak, read, write and understand English (R).	Blood test (all)	Same	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Florida (cont.)						Examination req'd. if 65 or over or member food servicd staff. May be req'd. of others.	Same		
Georgia	18 (1 person 21 or over must be present)	Sucessful experience and/or recent training in child care field.	18	Recent training (within 3 years) in child care field, high school advisable.		X	X	X	X
Hawaii		Bachelor's degree with courses in early childhood education or related fields, 2 years experience or 2 years college plus 4 years experience.		Teacher - Bachelor's degree with courses in early childhood development and related fields or Degree plus nursery teaching experience or other combinations of education and experience. Assistant Teacher - High school or other education or experience.		X	X	X (volunteers also)	X Same

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Idaho		Equipped to perform the job.		Equipped to perform the job.		May be required for director.			
Illinois	21	2 years college or high school or equivalent plus 3 years experience.	18	Assistants - High school or equivalent or completion of approved child care training probram.	Maintenance and Clerical - Ages and other conditions of employment must conform with vehicular and child labor laws.	X	(every 2 yrs.)	X	(every 2 yrs.)
			14 (student helpers)		Professional Staff - Must meet standards of respective profession.				
Indiana		In centers licensed for 30 or more children: 4 years college including courses in early childhood education or related fields, or equivalent education plus experience Licensed for 30 or less children: 2 years college including courses in early childhood education or equivalent work experience.		Head teacher - 30 or more children: 2 years college including courses in early childhood education or equivalent work experience. Teacher - High school		X (including immunization against smallpox, diphtheria, polio, tetanus)	X (immunizations renewed as necessary)	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Iowa	16	Equipped to perform the job.	16	At least one teacher - High school plus college credits (If licensed as a "School")		X	(every 3rd.yr.)		
Kansas	At least one person 21-60 yrs. of age must be present)	College graduation with child development or preschool education major, plus 1 year experience. (if center enrolls more than 16 children)		Qualified by education, experience, etc.		X		X	
Kentucky		(R) - Bachelor's degree in field related to behavioral sciences.		Teacher - (R) - Bachelor's degree in early childhood education. Assistant teacher - (R) - High school plus 2 years higher education or equivalent life experience.	Casework staff - Professional training in social work Staff nurse - Well qualified PHN	X (including V.D. test)		X	X
Louisiana		High school (preferred)		High school (preferred)		X	X	X	X
Maine	21	High school or equivalent, 6 months, experience, completion of course in child development. Facilities caring for 20 or more children; new facilities - 2 years college, course in child development or employ staff member so qualified.		Teachers - High school or be working toward equivalency certificate. If kindergarten program for 5 year olds provided - teacher certification Assistant teachers - High school or working toward equivalency certificate		X (including V.D. test)		X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Maryland5/								X	
Massachusetts		High school or equivalent, 3 years experience plus 4 approved courses in child development. or 1 year college plus 2 years experience, plus 1 course in child development.		High school or equivalent, plus 1 course in child development.	Aides - at least 16 years (some may assist child care staff.)	X		X	(every 3 yrs.)
Michigan		2 years college Nursery School - Bachelors degree, teaching certificate, courses in child development.		Some preparation and experience (R) Nursery School - 2 years college, plus experience (R)		X (including typhoid test, if history)	X Same	X	X
Minnesota		Qualified by training and experience		Qualified by training and experience.		X (including) immunizations: current polio, diphtheria; smallpox, in last 5 years.	X	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Mississippi (Voluntary Certification)	over 21	2 years college, including courses in child development and behavioral sciences or 2 years paid employment in day care or preschool facility.	over 21	Teacher - (same as director) Assistant teacher - High school	Those preparing or serving food - food handler's permit	X (including typhoid and V.D. when necessary)	X Same	X	X
Missouri (1971 Regs.)	18 (if responsible for group of children)	60 hrs. college, including courses in education or related fields; 2 yrs. experience may be substituted for 1 yr. education.	18	Equipped by education, training and experience	Professional staff - Meet standards of respectives professions	X	X	X	X
Montana		Appropriately qualified		Appropriately qualifed		X		X	
Nebraska	21	4 years college with emphasis on child development or related field (R)	21 (may be 16-20, if adult over 21 present)	College training in nursery school education (R)		X (including serology)	X	X	X
Nevada	21	2 years training in field of work with children or 2 years experience.	18	Professional training in early childhood development (desirable).		X (including serology)	(every 2 yrs.) (including serology)	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
New Hampshire (1971 regulations)	21	Completion of secondary education; 4 years college (R)	21	Teachers - Completion of secondary education		X	X	X	X
New Jersey		Teaching certificate or training and experience in education, child psychology or social work.		Head teacher - Teaching certificate, 2 yrs. experience Group teacher - 2 years college, 15 credits in child development, 1 yr. experience or 15 college credits in child development, plus 2 years experience. Assistants - High school or be a parent		X (adult staff)	X	X	X
New Mexico		Qualified		Qualified	Qualified	X	X	X	X
New York (Education/experience applicable to centers receiving public funds)	Over 21	Qualified early childhood education plus experience; after January 1, 1972, college graduate with major in early childhood education. (Applies to directors responsible for daily program activities)	21 (except when qualified by degree or certificate) 17 (group aide) 18 (infant group asst., any center)	Group head, group assistants- Suitably qualified after January 1, 1972, high school plus experience required for group head.		X (including small-pox immunization)	X	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
North Carolina (Voluntary Licensing)	21	Qualified		Qualified	Ability to perform assigned tasks	X (including serology)	X Same	X	X
North Carolina (Effective January 1, 1972)	21	Literate	16						
North Dakota		High school plus child care training or experience				X	X	X	X
Ohio		High school After 31, December 1971 - 2 years college with child development courses or 2 years experience.		After 31, December 1971 - High school or completion of approved training program.		X (including polio and diphtheria immunizations)	X	X	X
Oklahoma		High school or equivalent education and experience.		High school or equivalent education and experience	Ability to read and write.	(R)	(R)	X	X
Oregon								X	X
Pennsylvania	Over 21	2 years college with 12 credits in child development or 2 years junior college with major in child development.		Group Supervisors - High school plus 1 year experience, plus approved child care training	Cooks - 6 months experience, plus training equivalent 6th grade education or any equivalent combination experience and training.	X	X	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Pennsylvania (cont.)				Assistant Group Supervisors - High school or 2 years experience. Aides - 6 years education, plus 2 years experience.					
Puerto Rico	21	Teacher, nurse, or high school graduate (R).			Graduate or assistant nurse	X	X	X	X
Rhode Island		Experience in administration, professional preparation in appropriate field.		Head teacher - Bachelor's degree, preferably with major in early childhood education, or combination of experience and education. Assistant Teacher - High school, plus 2 years higher education or experience.	Social worker - Bachelor's degree, preferably with major in sociology, psychology, or early childhood development, preferable with social work experience. Clerical Training and experience for assigned office duties (R).	X	X	X	X
South Carolina		Equipped to perform job	21 (limited number may be 18 and up)	Equipped to perform job	Cooks, food handlers, maintenance staff - county health permit	X (including serology)	X	X	

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

	Director		Child Care Staff			Medical Exam. Required		T.B. Exam. Required	
State	Minimum Age	Education/Experience	Minimum Age	Education/Experience	Other Staff	Initially	Annually	Initially	Annually
South Dakota	21	High school or equivalent, plus 3 years experience	21	Supervisor High school or equivalent or bachelor's degree in early childhood education or related, or 3 years experience in centers which meets S.D. licensing standards.		X	X		
			18	Assistants 1 year experience or 1 child care training course.					
			14 (student helpers)						
Tennessee		Bachelor's degree with major in child development, nursery education or related (R); or meet teacher qualifications.	21 (if not supervised by person between 21 and 65)	Teachers High school or equivalent combination education and experience	Professionals Meet professional standards of respective fields Caseworker College graduate Cooks, maids, custodians Ability to read and write Each who serves or prepares food Food handler's permit	X	X	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Texas (1971 Standards)		High school or equivalent or obtain equivalency certificate in 3 years.				X	X	X	X
Utah		Reasonable knowledge of growth and development of children.		Reasonable knowledge of child growth and development.	Cooks Ability to plan good food service	X	X		
Vermont (Proposed Regulations)	18	1 year experience	18 (Regular staff)	Formal training and/or work experience.		X (including serology)	X Same	X	X
Virginia		15 college credits		High school		X (including serology for syphilis)	X Same	X	X
Washington	21	Bachelor's degree in child development or 3 years experience	18 (Teachers) 16 (Assistants)					X	(every 2 yrs.)
West Virginia	21	High school	18 (Regular staff)			X	X	X	X

QUALIFICATIONS OF DAY CARE CENTER STAFF UNDER STATE LICENSING REQUIREMENTS

State	Director		Child Care Staff		Other Staff	Medical Exam. Required		T.B. Exam. Required	
	Minimum Age	Education/Experience	Minimum Age	Education/Experience		Initially	Annually	Initially	Annually
Wisconsin	21	High school or equivalent, plus 1 approved course in child development; and If 9 or more children enrolled: 2 years college with 1 early childhood education course or approved in-service training course, plus course in child development.	18	Approved child care course (Volunteers - 4 hours training in day care programming and procedures) (Nursery school teacher - nursery teaching certificate)		X	X	X	X
Wyoming	21	Preschool Operator - 2 years college with courses in early childhood education or 6 years experience or training in child care or equivalent combination education and experience.	16	Kindergarten teacher must have state teaching certificate	Must be at least 16 years	X	X	X	X

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

TABLE VI

State	Minimum Required Square Feet of Space Per Child		Indoor Space				Individual Cots, Beds for Naps Required	Fencing of Outdoor Space	Hot Food Required to Be Served
				Isolation Space					
	Indoors	Outdoors	Only Floor Levels Generally Permitted	Room Req'd	Area Req'd 2/	Other 3/			
ALABAMA	35	60	Ground or 1st		X		X (for children remaining 5 hrs. /day	Req'd. if traffic hazards exist	X
ALASKA	30	75 (R)	Ground and upper	X			X	Enclosure req'd.	
ARIZONA	35	75	Not above 1st		X		X (Rugs acceptable for less than 5 hr. care)	Req'd.	X
ARKANSAS	35	75	Ground or 1st		X		X (Children remains more than 5 hrs.)	Req'd.	
CALIFORNIA	35	75	1st		X		X	Req'd	
COLORADO	30	75 (or 200 per child per occupant group)		X			X (children remaining over 4 hrs.)	Req'd.	
CONNECTICUT	30	75			X		X (children remaining 5 hrs. or longer.)	Protected	
DELWARE	35		Areas with 2 exits to ground level Ground for infants		X		X		

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

TABLE VI
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State	Minimum Required Square Feet of Space Per Child		Indoor Space				Individual Cots, Beds for Naps Required	Fencing of Outdoor Space	Hot Food Required to Be Served
				Isolation Space					
	Indoors	Outdoors	Only Floor Levels Generally Permitted	Room Req'd	Area Req'd 2/	Other 3/			
DISTRICT OF COLUMBIA	35(R)	60(R)	Rooms not more than 1/3 below ground surface		X		X (children under 5 yrs. remaining more than 6 hrs.)		
FLORIDA (Dade, Duval Orange Counties)	25	40			X		X	Required	
GEORGIA	35	100 (per child per occupant group)	Rooms not more than 3 ft. below ground level.		X		X	Fenced or protected	(noon meal preferably hot)
HAWAII	35	75				X	X	Fenced or protected	
IDAHO	35	75 (for each child under 6 yrs.) 100 (each child 6 or over)	Ground	X			X	Required if hazardous	X
ILLINOIS	35 25 (for children under 2 yrs.)	75 (per child per occupant group	Ground (R)		X		X	Enclosed or protected	X (children remaining 5-10 hrs.)

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

State	Minimum Required Square Feet of Space Per Child		Indoor Space				Individual Cots, Beds for Naps Required	Fencing of Outdoor Space	Hot Food Required to Be Served
				Isolation Space					
	Indoors	Outdoors	Only Floor Levels Generally Permitted	Room Req'd	Area Req'd 2/	Other 3/			
INDIANA	35	50	Grade level	X (centers licensed for 100 or more children)			X (Each pre-school child)	Enclosed or protected	
IOWA				X			X (preschool children remaining more than 3 hrs.)	Required if grounds on busy thoroughfare.	
KANSAS	35	100	Ground or 1st	X			X	Required if adjacent to highway or other dangerous area.	X (children remaining longer than 4 hrs.)
KENTUCKY	35		Not above 1st		X		X	Required if necessary	
LOUISIANA	35	75 (per child per occupant group)			X		X (cots) (double bed may be used; 2 children per bed)	Enclosed	X
MAINE	20	75		X			X (except for before and/or after school care)	Required	X (Children in full day care)
MARYLAND	30				X		X (each child remaining 4 hrs. or more.)	Shall be free from inadequate fencing	

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

TABLE VI
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State	Minimum Required Square Feet of Space Per Child		Indoor Space				Individual Cots, Beds for Naps Required	Fencing of Outdoor Space	Hot Food Required to Be Served
			Only Floor Levels Generally Permitted	Isolation Space					
	Indoors	Outdoors		Room Req'd	Area Req'd 2/	Other 3/			
MASSACHUSETTS	35	75 per child per occupant group)		X			X (each child remaining 4 hrs. or more)	Required if hazardous	
MICHIGAN	35	75(R)	Ground or 1st; not above 2nd.	X			X (each child remaining for afternoon rest)	Adequately protected	
MINNESOTA	35	75	Ground or 1st		X		X (each pre-school child who naps)	Safely enclosed	
MISSISSIPPI (Voluntary Certification)	30	65	1st		X		X	Adequate protection	X (children in care more than 4 hrs.
MISSOURI (1971 Regs.)	35	75 (per child per occupant group)			X		X (each child who naps)	Required	
MONTANA	35	100	Ground or 1st	X			X (Rugs or pads, acceptable for those in care 5 hrs. or less	Required if hazardous	X (children in care more than 4 hrs.
NEBRASKA	35	72 (desirable)	Ground (R)		X		X (children in care over 3 hrs.	Required for pre school children	

TABLE VI
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STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

State	Minimum Required Square Feet of Space Per Child		Indoor Space				Individual Cots, Beds for Naps Required	Fencing of Outdoor Space	Hot Food Required to Be Served
			Only Floor Levels Generally Permitted	Isolation Space					
	Indoors	Outdoors		Room Req'd	Area Req'd 2/	Other 3/			
NEVADA	35	75	Ground		X		X	Required	
NEW HAMPSHIRE (1971 Regs.)	35	75 (per child per occupant group)	Not above 2nd	X			X (full-day)	Required if hazardous	
NEW JERSEY	30	100	First	X			X (full day)	Fenced or protected	X (if program runs through noon meal)
NEW MEXICO	35	60 (per child per occupant group)		X			X	Required	
NEW YORK	35		Floors having accessible alternate means of egress	X	or X		X (Each child under 5 who remains over 4 hrs.)		X (children in care over 4 hours)
NORTH CAROLINA (Voluntary Licensing)	30	75 (per child per occupant group; except where in conflict with local ordinance)				X (if infants and toddlers in care)	X	Fence, hedge or natural barrier required	
NORTH CAROLINA (Effective Jan. 1, 72)	25	(Not to exceed 75)					X (Except for after school care)	Fenced or protected	

TABLE VI
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STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

<table>
<tr><th rowspan="3">State</th><th colspan="2">Minimum Required Square Feet of Space Per Child</th><th colspan="4">Indoor Space</th><th rowspan="3">Individual Cots, Beds for Naps Required</th><th rowspan="3">Fencing of Outdoor Space</th><th rowspan="3">Hot Food Required to Be Served</th></tr>
<tr><th rowspan="2">Indoors</th><th rowspan="2">Outdoors</th><th rowspan="2">Only Floor Levels Generally Permitted</th><th colspan="3">Isolation Space</th></tr>
<tr><th>Room Req'd</th><th>Area Req'd 2/</th><th>Other 3/</th></tr>
<tr><td>NORTH DAKOTA</td><td>35</td><td>75</td><td>Ground preferred (for preschool children)</td><td></td><td></td><td>X</td><td>X
(full day)</td><td>Required if hazardous</td><td>X
(full day program)</td></tr>
<tr><td>OHIO</td><td>35</td><td>60
(per child per occupant group)</td><td>For infants, 1st floor only</td><td></td><td>X</td><td></td><td>X
(Each pre-school child)</td><td>Fenced or protected</td><td></td></tr>
<tr><td>OKLAHOMA</td><td>35
(applicable to centers starting or 7/2/70)</td><td>75
(centers starting or expanding after 7/2/70)</td><td>Ground or 1st</td><td>X or</td><td>X</td><td></td><td>X
(Each child in care over 5 consecutive hrs.)</td><td>Required</td><td></td></tr>
<tr><td>OREGON</td><td>35</td><td></td><td>Above street level or grade</td><td></td><td></td><td>X</td><td>X</td><td>Enclosed or patrolled</td><td></td></tr>
<tr><td>PENNSYLVANIA</td><td>35</td><td>65
(total, not less than 650)</td><td>Ground level</td><td>X or</td><td>X</td><td></td><td>X</td><td>Fenced or protected</td><td></td></tr>
<tr><td>PUERTO RICO</td><td>25</td><td></td><td>Ground</td><td></td><td>X</td><td></td><td>X
(mats acceptable)</td><td>Required</td><td></td></tr>
<tr><td>RHODE ISLAND</td><td>35</td><td>75</td><td>Ground</td><td></td><td>X</td><td></td><td>X
(Each child in care over 4 hrs.)</td><td>Required</td><td>X
(Usually-noon meal)</td></tr>
<tr><td>SOUTH CAROLINA</td><td>35</td><td>75</td><td>1st; never above 2nd or basement with floor more than 3 ft. below ground</td><td>X</td><td></td><td></td><td>(R)
(Each child in care over 3 hrs.)</td><td>Required</td><td></td></tr>
</table>

TABLE VI
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STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

State	Minimum Required Square Feet of Space Per Child		Indoor Space				Individual Cots, Beds for Naps Required	Fencing of Outdoor Space	Hot Food Required to Be Served
				Isolation Space					
	Indoors	Outdoors	Only Floor Levels Generally Permitted	Room Req'd	Area Req'd 2/	Other 3/			
SOUTH DAKOTA	35	50				X	X	Required	
TENNESSEE	30 (for each preschool child)	50 (per child per occupant group)	Ground or 1st desirable		X		X (Each child in care over 5 hrs)	Required if traffic hazards	
TEXAS (1971 Standards)	35	80 (per child per occupant group)	-			X	X (Each preschool child)	Enclosed by fence or outer wall of building	X (At least 4 times per week)
UTAH	35	40	1st for children under 4 years		X		X	Required	
VERMONT (Proposed regs.)	25 (R)	75 (R)				X		Fence or natural barrier if hazardous	
VIRGINIA	20			X			X		X
WASHINGTON	35	75	Not above 1st story above grade	X or	X		X		
WEST VIRGINIA	35	100	1st preferred			X	X	Enclosed (fence or nonclimable wall)	X

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES

State	Minimum Required Square Feet of Space Per Child		Indoor Space				Individual Cots, Beds for Naps Required	Fencing of Outdoor Space	Hot Food Required to Be Served
				Isolation Space					
	Indoors	**Outdoors**	Only Floor Levels Generally Permitted	Room Req'd	Area Req'd 2/	Other 3/			
WISCONSIN	35	75 (per child per occupant group) Applies if children present 2 hrs. or more, for 2 or more days per wk	Floors having 2 exits to ground level			X	X	Enclosed	
WYOMING	35	200	Ground				X	Fenced or enenclosed (R)	

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - APPROVALS RELATING TO NEW CONSTRUCTION AND/OR PHYSICAL EXPANSION

TABLE VII

State	New Construction				Alterations, Additions			
	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun
ALABAMA	Licensing Agency	(R)	Building Fire Health Zoning	(R) (R) (R) (R)	(Same as for new construction)	(R)	(Same as for new construction)	(R)
ALASKA	-		-		Licensing Agency	X	-	
ARIZONA	Licensing Agency	X	-		(Same as for new construction)	X	-	
ARKANSAS	-		-		-		-	
CALIFORNIA	Licensing Agency	X	-		(Same as for new construction	X	-	
COLORADO	-		-		Licensing Agency (Req'd. to be reported)		-	
CONNECTICUT	-		-		-		-	
DELAWARE	-		-		Licensing Agency	X	-	
DISTRICT OF COLUMBIA	-		-		-		-	
FLORIDA (Dade, Duval, Orange Counties)	-		-		-		-	
GEORGIA	Licensing Agency	X	Building Zoning	X X	(Same as for new construction)	X	(Same as for new construction)	X
HAWAII	Licensing Agency	X	Fire Marshal	X	(Same as for new construction)	X	(Same as for new construction)	X

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - APPROVALS RELATING TO NEW CONSTRUCTION AND/OR PHYSICAL EXPANSION

TABLE VII
p. 2

State	New Construction				Alterations, Additions			
	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun
IDAHO	-		-		-		-	
ILLINOIS	Licensing Agency (Also any other authority requiring prior approval)	X	Any authority requiring prior approval	X	(Same as for new construction)	X	(Same as for new construction)	X
INDIANA	Licensing Agency Board of Health Fire Marshal Administrative Building Council (Plans to be certified by professional registered architect or engineer in State.)	X X X X	-		(Same as for new construction)	X	-	
IOWA	Licensing Agency	X	-		(Same as for new construction)	X	-	
KANSAS	-		-		-		-	
KENTUCKY	Licensing Agency Department of Public Safety		-		(Same as for new construction)		-	
LOUISIANA	-		-		-		-	
MAINE	-		-		-		-	
MARYLAND 5/	-		-		Licensing Agency (i.e., Deputy State Health Officer in county)	X	-	

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - APPROVALS RELATING TO NEW CONSTRUCTION AND/OR PHYSICAL EXPANSION

TABLE VII
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State	New Construction				Alterations, Additions			
	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun
MASSACHUSETTS	-		-		-		-	
MICHIGAN	Licensing Agency State(or local)fire inspection authority	(R) X	-		Licensing Agency State (or local) fire inspection authority	(R) X	-	
MINNESOTA	-		-		-		-	
MISSISSIPPI (Voluntary certification)	-		-		Certifying Agency (Req'd. to be reported)		-	
MISSOURI (1971 Regs.)	-		-		-		-	
MONTANA	-		-		-		-	
NEBRASKA	-		-		Licensing Agency (Req'd. to be reported)		-	
NEVADA	Licensing Agency	X	-		(Same as for new construction)	X	-	
NEW HAMPSHIRE (1971 Regs.)	-		-		-		-	
NEW JERSEY	-		-		Licensing Agency		-	
NEW MEXICO	Licensing Agency	X	-		(Same as for new construction)	X	-	
NEW YORK	Licensing Agency	X	- -		(Same as for new construction)	X	-	

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - APPROVALS RELATING TO NEW CONSTRUCTION AND/OR PHYSICAL EXPANSION

	New Construction				Alterations, Additions			
State	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun
NORTH CAROLINA (Voluntary Licensing)	-		-		-		-	
NORTH CAROLINA (Effective 1/1/72)	-		-		-		-	
NORTH DAKOTA	Licensing Agency Health Department (for recommendations) Fire Marshal (for recommendations)	X	-		Licensing Agency Health Department (for recommendations) Fire Marshal (for recommendations)	X	-	
OHIO	-		-		Department of Industrial Relations (or local authority)		Municipal or County Building Department (or State authority)	
OKLAHOMA (Round-the-clock facilities)	Fire Marshal (Submission of plans req'd.)		-		(Same as for new construction)		-	
OREGON	-		-		-		-	
PENNSYLVANIA	Licensing Agency Dept. of Health Dept. of Labor and Industry - if facility in other than Philadelphia, Pittsburgh or Scranton	X	City dept. of public safety (in Philadelphia, Pittsburgh or Scranton)	X	(Same as for new construction)	X	(Same as for new construction)	X
PUERTO RICO	-		-		-		-	

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - APPROVALS RELATING TO NEW CONSTRUCTION AND/OR PHYSICAL EXPANSION

TABLE VII
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State	New Construction				Alterations, Additions			
	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun	State Agency Approvals	Req'd Before Work Begun	Local Agency Approvals	Req'd Before Work Begun
RHODE ISLAND	-		-		Licensing Agency (consultation req'd)	X	-	
SOUTH CAROLINA	-		-		-		County Welfare Dept. ("Changes" req'd. to be reported)	
SOUTH DAKOTA	-		-		-		-	
TENNESSEE	-		-		-		-	
TEXAS (1971 standards)	-		-		Licensing Agency (Notice req'd)	X	-	
UTAH	-		-		-		-	
VERMONT (Proposed Regs.)	-		-		-		-	
VIRGINIA	Licensing Agency (review) Fire Marshal	(R) X	-		Licensing Agency (review) Fire Marshal	(R) X	-	
WASHINGTON	-		-		-		-	
WEST VIRGINIA	Licensing Board (notice) Fire Marshal Health Department	- X X	-		Fire Marshal Health Department	X X	-	
WISCONSIN	-		-		-		-	
WYOMING	-		-		-		-	

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC. TABLE VIII

State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
ALABAMA	X		X		X		X						Local health and fire officials - Use of basements, second stories
ALASKA				X	X	X	X	X	X			Uniform Building Code... Pacific Coast...	
ARIZONA	------ All Applicable State and Local Codes -------											Uniform Building Code Uniform Building Code Modifications - Arizona adoption... Natl. Electrical Code - as modified by Arizona Electrical Code. Western... Uniform Plumbing Code Amer. Refrigeration Institute Amer. Stand. Safety Code for Elevators Natl. Fire Protection Assoc. Code	Licensing Agency Laundry procedures; fly control measures (when flies prevalent)
ARKANSAS	X		X		X	X re kitchen waste disposal; food service	X						Use of basement or second story

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

TABLE VIII
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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
CALIFORNIA													State Fire Marshal - Fire safety clearance
COLORADO			X		X	X	X	State or	Local	State Industrial Comm. Regs.			
CONNECTICUT	X		X			X					Codes re Plumbing, Water, Toilet systems		State Health Dept. - Water from other than public supply
DELAWARE	X	X	X			X	X	X		Plumbing Housing Safety	Plumbing Housing Safety		Certifications from appropriate authorities re Fire inspection Safety inspection Sanitation Approval of water & sewerage systems Building and Fire Inspectors - Exceptions for useable floor levels
DISTRICT OF COLUMBIA	X		X		X								Licensing Agency - low windows and stairways used by children
FLORIDA (Dade, Duval, Orange Counties)							X	X			Any local code requirements more stringent than State requirements set forth in day care standards		State Division of Health - Certain waste discharge methods

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

TABLE VIII
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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
GEORGIA	——All applicable State and local laws, ordinances, regulations, rules——												State Fire Marshal - Heating System Fire Department - Use of 2-story or split level buildings
HAWAII			X (City and county)	X		X				Rules and regs. of other agencies having jurisdiction	Other applicable ordinances and regs.	Uniform Building Code (except where county standards are higher) National Electrical Code	Fire Department - Fire evacuation plan
IDAHO			X		X	X							Dept. of Health - Water supply from other than city water system
ILLINOIS	X					X	X						Local or State health authorities - Water supply from other than approved public source Proper health authorities- Building housing center Proper fire authorities - Building housing center
INDIANA	X	X	X	X		X				Heating and Ventilating Code		National Electrical Code American Gas Association Code	State Fire Marshal - Furnace room Fire extinguishers Wiring Fire escape Exit lighting and sign installation
IOWA													

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
KANSAS	X				X				X	Bd. of Health and Fire Marshal standards re Sanitation, Fire protection, Water supply, Sewage disposal (if not covered by local regs.)	Water supply and sewage disposal requirements		
KENTUCKY	X											Natl. Fire Protection Assoc. (NFPA pamphlet 36) Natl. Electrical Code	Water and milk supplies must be approved.
LOUISIANA						X re sleeping arrangements	X re sleeping arrangements	X	X	Ordinances re toilet facilities	Ordinances re toilet facilities		
MAINE			X		X				X	Sanitary Engineering Division standards re Water supply, Sewage disposal DHW rules and regs. re eating places	Local health dept. - During epidemic, consultation re temporary closure of center		

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
MARYLAND [5]	X		X		X					Bd. of Health & Mental Hygiene regs. re Sewage disposal Water supply Food utensil care Plumbing code			
MASSACHUSETTS	X	X	X					X	X	Safety	Safety		
MICHIGAN	X	X	X	X	X	State or Local re sewage disposal in absence of public sewer system				Plumbing Electrical Administrative Code re private wells Mich. Solid Waste & Air Pollution Acts re garbage disposal	Plumbing Electrical		State or local fire authority State or local health department

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

TABLE VIII
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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
MINNESOTA	X				X				X	Bd. of Health and Fire Marshal recommendations in absence of local requirements re Zoning Fire Sanitation Water supply Sewage disposal	Housing Water supply Sewage disposal		
MISSISSIPPI (Voluntary Cerification)		X	X		X	X Re rat and vermin control food handling if food served							
MISSOURI (1971 Regs.)	X		X	X	X						Water supply		State or local health authorities - Water and milk supply Authority having jurisdiction - Heating equipment and air conditioning installation

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

TABLE VIII
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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
MONTANA	X		X	X	X	X			X	Plumbing Code	Water supply Sewage disposal	N.F.P.A. Life Safety Code (as adopted by State Fire Marshal	State Bd. of Health - Private sewer disposal systems
NEBRASKA	X		X	X	X	X	X	X	X	Water standards Health Dept. regs. re Sewage and liquid waste disposal (if no local ordinances)	Plumbing code Sewage and liquid waste ordinances	National Plumbing Code (if no local code)	"Regulatory authority" - Mechanical dishwashers
NEVADA	X (or privilege licensing)	X	X			X re water supply, food utensils					Business license (may be req'd.)		

TABLE VIII
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STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
NEW HAMPSHIRE (1971 Regs.)	X			X	X	X	X	X	X	Coconut Grove Law specs.- re emergency lighting			
NEW JERSEY			X		X				X				
NEW MEXICO	X	X	X							State and Local Codes re Elevator installation, Ramp installation, Electrical installation, Heating system installation Lighting Ventilation Laundry machinery Safety Plumbing State or Local Code (whichever is more rigid) re Kitchen Bathroom Toilet ventilation N. Mex. Restaurant Act and Regs.		Natl. Electrical Code	State Health Dept. Water supply from non-public source Water supply system - installation, alteration or extension Plumbing system - installation, alteration or extension Sewage, garbage or refuse disposal systems- installation alteration or extension
NEW YORK	X		X		X	X	X			Water supply Sewage facilities	Water supply Sewage facilities		
NORTH CAROLINA (Voluntary licensing)	X (or privilege licensing)		X		X				X				

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
NORTH CAROLINA (effective Jan. 1, 1972)		X		X		X		X					
NORTH DAKOTA													State health dept. - Water supply from non-municipal source
OHIO		X		X				X		Board of Building Standards - other applicable regs. Food service operation license			
OKLAHOMA		X (may be req'd)			X	X re water, sewage, food preparation and service				Health Dept. requirements re Pvt. water supplies & water systems, Sewerage systems, Public eating places			
OREGON			X			X		X		Bd. of Health standards re Plumbing system, Garbage and disposal systems			State Fire Marshal - Building

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

TABLE VIII
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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
PENNSYLVANIA	X	X	X	X	X	X	X	X	X	Equipment All applicable regs. of Depts. of: Health, Labor & Industry, State, Public Welfare Title VI, Civil Rights Act (fedl.)	Equipment Plumbing code		State Health Dept. - Water supplies, Sewage disposal systems, Food service facilities
PUERTO RICO				X		X							
RHODE ISLAND	(Consider in site selection (R))	X	X	X	X	X	X						
SOUTH CAROLINA				X (as recommended)	X	X (as recommended)	X	X	X (Co., city or town)				State or county health dept. - Toilets in rural areas
SOUTH DAKOTA													Fire and health authorities - Neighborhood and facility

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

TABLE VIII
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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
TENNESSEE													State Dept. Insurance and Banking (Fire Prevention Division) - Building State Health Dept. - Building Non-flush toilets Local health depts.- Bathroom facilities
TEXAS				X	X	X	X			Safety	Safety		
UTAH	X			X	X			X	X	Housing Water supply Nursing home food service regs. Other applicable laws, regs.	Housing Water supply Nursing home food service regs. Other applicable laws, regs.		
VERMONT (Proposed regs.)									X	Heating (State or local regs.)-------------	Safety		
VIRGINIA		X re lighting, ventilation	X	X (when applicable)				X (when applicable)	X		Child care ordinances Health dept. requirements re Kitchens Refrigeration		Responsible fire official- Gas stoves

STATE REQUIREMENTS FOR DAY CARE CENTER FACILITIES - COMPLIANCE WITH OTHER LAWS, ORDINANCES, REGULATIONS, ETC.

TABLE VIII
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State	Local Zoning	Building		Fire		Health		Sanitation		Other		National or Regional Codes	Other Required Administrative Approvals
		State	Local	State	Local	State	Local	State	Local	State	Local		
WASHINGTON				X		X re food service, water supply					Plumbing Codes	Uniform Plumbing Code of Western Plumbing Officials Assoc. (if no local code)	Local health dept. - Independent sewage systems
WEST VIRGINIA	X			X	X	X	X	X	X		Other ordinances		
WISCONSIN		X				X re food handling & dish-washing procedure				Natural Resources Dept. standards - Water supply			
WYOMING	X												

STATE LICENSING OF FAMILY DAY CARE HOMES

TABLE IX

State	State Department Responsible for Licensing	Maximum No. Children(Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
						Med. Exam.		T.B. Exam.		Immunizations					
			Between	And		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Small-pox	Teta-nus	Diph-theria	Polio
ALABAMA	Pensions and Security	5	Infancy			(R)						(R)		(R) (if over 6 mos.)	
ALASKA	Health and Welfare	6				X (if child in care 2 wks. or more									
ARIZONA (Certification)	Public Welfare	4				(R)				Proper immunization (R)					
ARKANSAS	Public Welfare	6			2	X									
CALIFORNIA	Social Welfare	5 6	Infancy 3	6 16	2 0	X				Appropriate for age of child					
COLORADO	Social Services	6	Birth	16	2	X	X								
CONNECTICUT	Welfare	4 (6 if 5 or more are related)	Infancy		2 (4 if another full-time staff member present)	X									
DELAWARE	Health and Social Services	6 (own preschool)	Infancy	18	3	X	X (over 2yrs. old)								

STATE LICENSING OF FAMILY DAY CARE HOMES

TABLE IX
p. 2

State	State Department Responsible for Licensing	Maximum No. Children(Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
			Between	And		Med. Exam.		T.B. Exam.		Immunizations					
						Initially	Annually	Initially	Annually	Measles	Whooping Cough	Small-pox	Tetanus	Diphtheria	Polio
DISTRICT OF COLUMBIA	Human Resources					(R)						(R) (over 2 yrs.)		(R) (over 6 mos. and under 12 yrs)	
FLORIDA (Dade, Duval, Orange Counties)	Health and Rehabilitative Services	5 (own preschool	Infancy	17	5	X	X			Appropriate for age (R) Boosters (R)					
GEORGIA (License not req'd. for less than 3)	Family and Children Services	6	Infancy	17	3 (if 3 under 2 1/2, plus older child'n-must have aide)	X	X	X		X	X	X	X	X	X
HAWAII (License not req'd. for less than 2 children)	Social Services and Housing	5	Infancy	8	2 4 (with add'l help)	X	X	X		Appropriate in accordance with State public health regs.					
IDAHO	Public Assistance	6 (no more than 4 dc children) (total of 6 excludes own teenagers)	Infancy		2 4 (with add'l adult)										
ILLINOIS	*Children and Family* Services	8 (no more than 4 under 6 yrs. without asst.) (own under 18)	Infancy	18	2 (must have asst.)	X		X		Required but not specified					

STATE LICENSING OF FAMILY DAY CARE HOMES

TABLE IX
p. 3

State	State Department Responsible for Licensing	Maximum No. Children(Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
						Med. Exam.		T.B. Exam.		Immunizations					
			Between	And		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Small-pox	Teta-nus	Diph-theria	Polio
INDIANA	Public Welfare	(max. staff/ child ratio 6:1)													
IOWA	Social Services	5	Infancy	16		X				All deemed necessary by local or State health authorities. Boosters in accordance with State Health Dept. recommendations.					
KANSAS	Health	4 (6 if all children over 2 yrs.) (excluding own)	Infancy 2	16	2 0	X	X	X	X	X Others recommended by State Dept. of Health	X	X	X	X	X
KENTUCKY	Child Welfare	6 (own pre-school)	Infancy	18											
LOUISIANA (Voluntary approval)	Public Welfare	6 (max. no. pre-school children)		17		X	X	X	X		X	X	X	X	X
MAINE	Health and Welfare	5	Infancy	6	2 (under 2½)	X									
		6 (own under 8 yrs.)	2½	16	0										
MARYLAND	Public Welfare	4		16		X	X			X	X	X	X	X	X

STATE LICENSING OF FAMILY DAY CARE HOMES

TABLE IX
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State	State Department Responsible for Licensing	Maximum No. Children(Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
						Med. Exam.		T.B. Exam.		I m m u n i z a t i o n s					
			Between	And		Ini-tially	Annu-ally	Ini-tially	Annu-ally	Measles	Whooping Cough	Small-pox	Teta-nus	Diph-theria	Polio
MASSACHUSETTS	Public Welfare	2 (excluding own)				X	X			X	X	X	X	X	X
MICHIGAN	Social Services	4 (excluding own)	Infancy	17	2										
MINNESOTA	Public Welfare	5 (own pre-school)		16		X									
MISSISSIPPI (Voluntary Certification)	Public Welfare	5 12 (with child staff ratio of 6:1)	Infancy 3	6 14	2	X	(at intervals appropriate to age								
MISSOURI (License not req'd. for 4 or less)	Public Health and Welfare	6 (excluding own)	Infancy	17	2	X					X	X	X	X	X
MONTANA (License not req'd. for less than 3)	Public Welfare	6	Infancy	12	2										
NEBRASKA (License not req'd for less than 2)	Public Welfare	7 (own under 13 yrs.)	Infancy	13	2	(R)				(R)	X	X	X	X	X
NEVADA (Homes not Licensed)															

STATE LICENSING OF FAMILY DAY CARE HOMES

TABLE IX
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State	State Department Responsible for Licensing	Maximum No. Children(Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
						Med. Exam.		T.B. Exam.		Immunizations					
			Between	And		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Small-pox	Tetanus	Diphtheria	Polio
NEW HAMPSHIRE (1971 regs.)	Health and Welfare	6 4 (own pre-school)	Infancy	16	1 3	X	X								
NEW JERSEY	Health	5 (4 d c children)	Infancy	16	(2 under 1 yr)	X	(periodic)				X	X	X	X	
										Others requiring similar protection; boosters required.					
NEW MEXICO	Health and Social Services	6	Infancy	18	2	X					(R)	(R)	(R)	(R)	(R)
										School age children must be immunized.					
NEW YORK (License not req'd for less than 3)	Social Services	6 (own under 13)	8 wks		2	X				X	X	X	X	X	X
NORTH CAROLINA (Voluntary Licensing)	Social Services	5 (own pre-school plus those within licensing age range)								Those recommended for age					
NORTH DAKOTA	Public Welfare Board	5 6 4 (if 1 or more handicapped and no asst. available) (own under 14 yrs. and at home when care given)	Infancy 3	7 14	2	X	X (if care purchased by county)			As prescribed by family physician					

STATE LICENSING OF FAMILY DAY CARE HOMES

TABLE IX
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State	State Department Responsible for Licensing	Maximum No. Children (Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
						Med. Exam.		T.B. Exam.		Immunizations					
			Between	And		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Small-pox	Teta-nus	Diph-theria	Polio
OHIO (Approval)	Public Welfare	4 (excluding own)				X		X		As required for school admission					
OKLAHOMA	**Institutions, Social** and Rehabilitative Services	5 (own pre-school)		18											
OREGON (Licensure not required for less than 5 children; facilities caring for less than five may apply for voluntary approval	Public Welfare Division		Infancy	15		X		X	X	X	X	X		X	X
PENNSYLVANIA (License not req'd. for 3 or less children)	Public Welfare	6 (excluding own)	3	16		X	X (every 6 mos if under 3 yrs.)	X	X (if btwn. 9 mos. and 3 yrs. ea. 2 yrs. if btwn. 4 and 16)	Adequate for age					
		5 (incl. own under 2)	Infancy	7	2										
PUERTO RICO	Social Services	6 (R) (own pre-school or up to 14 yrs. and at home or in school 1/2 day)	Infancy	18		X	X				(R)	(R)	(R)		
										Typhus (R)					

STATE LICENSING OF FAMILY DAY CARE HOMES

State	State Department Responsible for Licensing	Maximum No. Children (Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
						Med. Exam.		T.B. Exam.		Immunizations					
			Between	And		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Small-pox	Tetanus	Diphtheria	Polio
RHODE ISLAND	Social and Rehabilitative Services	4 (Special license may be issued for up to 7; no more than 4 under 6 yrs.)	Infancy	16	2	X				X	X	X	X	X	X
SOUTH CAROLINA	Public Welfare	7	Infancy		2 (R)	X				Against common childhood diseases					
SOUTH DAKOTA	Public Welfare	6	Infancy		2	X					X	X	X	X	X
TENNESSEE (License not req'd. for less than 5)	Public Welfare	7	Infancy	17	3 (under 18 mos.)	X	X	(If evidence in family)		X	X	X	X	X	X
		5 (own preschool)	Infancy	3	5					Boosters (R)					
TEXAS	Public Welfare	6	Infancy	16	2 (no more than 1 other child under 6 yrs.)	X				X (Rubella & Rubeola)	X (2 mos.-3 yrs.)	X	X	X	X
UTAH (License not req'd. for less than 3; however, if Dept. purchases care, license req'd. regardless of number in care.)	Public Welfare	6 (own preschool)	Infancy	14		X									

STATE LICENSING OF FAMILY DAY CARE HOMES

TABLE IX
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State	State Department Responsible for Licensing	Maximum No. Children(Incl. Operator's Children)	Child Age Range 1/		Maximum No. Children Under Age 2	Child Health Admission Requirements									
						Med. Exam.		T.B. Exam.		Immunizations					
			Between	And		Initially	Annually	Initially	Annually	Measles	Whooping Cough	Small-pox	Tetanus	Diphtheria	Polio
VERMONT (Proposed regs.)	Office of Economic Opportunity	6 (own preschool and homebound handicapped)	Infancy	14	2 (unless asst. available for infants)	X				Required but not specified					
		9	3	16	0										
VIRGINIA	Welfare and Insitutions	9	Infancy	18	(must be 1 adult for every 3 such children)	X				Provision for immunization to be arranged with parents.					
WASHINGTON	Social and Health Services	6	Infancy		2										
		10 (unless all unrelated children from same family) (own under 12)			0										
WEST VIRGINIA (Approval)	Welfare	5	Infancy	6	2	X	(at intervals appropriate to age)								
		6	3		0										
		6 (own under 14, if max. of 6)	school age	school age	0										
WISCONSIN (Facilities caring for 4 or more licensed as day care center)															
WYOMING (License not req'd. for less than 3 children)	Health and Social Services	6 (excluding 1st 2 own preschool)		17	2	X									

STATE LICENSING OF FAMILY DAY CARE HOMES - OPERATOR, STAFF, HOUSEHOLD RESIDENT REQUIREMENTS

TABLE X

State	Day Care Mother								Other Staff		Other Members of Household Subject to Same Health Requirements for Day Care Mother
		Health						Other (Aside from maturity, good character, etc.)			
		Med. Exam.		T. B. Exam.		Other					
	Age4/	Initially	Annually	Initially	Annually	Initially	Annually		Age 4/	Subject to Same Health Requirements for Day Care Mother	
Alabama		(R)	(every 6 mos) (R)								
Alaska	21	X	X	X	X	Serology (R)	Serology (R)			X	
Arizona (Certification)	Between 21-65	X									TB test and serology for all over 14 yrs.
Arkansas	Between 21-65	X	(every 6 mos.)	X	X	V.D. test	V.D. test		16	X	Annual health statements including TB and V.D. test results for all over 14 yrs. in home when children present. Other adults in home during the day required to show medical statement, dated within 6 mos. prior; new exam. may be required.
California				X	X					X	X
Colorado		X	X	(R)	(R)						X
Connecticut		If no recent exam.		If history and no recent exam.							TB exam., if history and no recent exam.; physician's health statement (R).
Delaware		X									X
District of Columbia		(R)	(R)	X	X						X

STATE LICENSING OF FAMILY DAY CARE HOMES - OPERATOR, STAFF, HOUSEHOLD RESIDENT REQUIREMENTS

TABLE X
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State	Day Care Mother								Other Staff		Other Members of Household Subject to Same Health Requirements for Day Care Mother
		Health									
		Med. Exam.		T. B. Exam.		Other					
	Age 4/	Initially	Annually	Initially	Annually	Initially	Annually	Other (Aside from maturity, good character, etc.)	Age 4/	Subject to Same Health Requirements for Day Care Mother	
Florida (Dade, Duval, Orange Counties)	21	X (If 65 or over; may be req'd. of others)	X Same	X	X	Blood test	Blood test	Qualified through training and experience.	18	X (medical examination required only if involved in food preparation or service)	X (except mandatory medical examination if over 65)
Georgia		X	X					Recent participation in workshops, courses, etc., which relate to children - if such training is available.	16	X (also T.B. exam.)	X
Hawaii		X	Upon request	X	X						Annual T.B. exam.; medical exam. upon request of Licensing Agency.
Idaho		May be req'd. (must have reference from family phy.)									X
Illinois		X	Reexam. may be req'd.	X					16 (14 when school not in session)	X	X
Indiana		X									X

STATE LICENSING OF FAMILY DAY CARE HOMES - OPERATOR, STAFF, HOUSEHOLD RESIDENT REQUIREMENTS

TABLE X
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State	Day Care Mother								Other Staff		Other Members of Household Subject to Same Health Requirements for Day Care Mother
		Health						Other (Aside from maturity, good character, etc.)			
		Med. Exam.		T. B. Exam.		Other					
	Age 4/	Initially	Annually	Initially	Annually	Initially	Annually		Age 4/	Subject to Same Health Requirements for Day Care Mother	
Iowa	(not more than 50 years older than children in care) (R)	(current medical rept. or consultation with family phys.)									
Kansas	Within 21-60 (R)	X	(every three years)	X	(every three years)			When possible shall avail self of educational training opportunities prescribed by licensing agencies.		Health certificate initially and every 3 years.	X Exceptions: Immunizations required if under 16 years. Annual medical and T.B. examinations if 60 or over.
Kentucky		X		X	X	V.D. test		Must be willing to attend workshops and training courses.		X	X (except V. D. test)
Louisiana (Voluntary approval)	(no person caring for child'n. should be under 18)	X	X						18(R)	X	X Preschool age children must meet same requirements for children in care.
Maine	18	X	X	X	X	V.D., typhoid tests	Same		18 (except volunteers)		X (except V.D. and typhoid examinations)

STATE LICENSING OF FAMILY DAY CARE HOMES - OPERATOR, STAFF, HOUSEHOLD RESIDENT REQUIREMENTS

TABLE X
p. 4

State	Day Care Mother								Other Staff		Other Members of Household Subject to Same Health Requirements for Day Care Mother
		Health						Other (Aside from maturity, good character, etc.)			
		Med. Exam.		T. B. Exam.		Other					
	Age4/	Initially	Annually	Initially	Annually	Initially	Annually		Age 4/	Subject to Same Health Requirements for Day Care Mother	
Maryland	21 - 69 (Automatic experation of license upon reaching 70)	X		X	X					X	X
Massachusetts	21	X	X							X	X
Michigan	not over 65										
Minnesota		X		X							X
Mississippi (Voluntary Certification)		X									X
Missouri		X	X								X
Montana											
Nebraska	21-65	X	X	X	X	Syphilis test	Same	Ability to read and write (R)	21 (if to supervise in absence of mother)	X	X (Annual T.B. examination only for those not working with children)
Nevada (Homes not licensed)											
New Hampshire (1971 Regs. and Amendments)	21-65	X	X	X	X					X	X

STATE LICENSING OF FAMILY DAY CARE HOMES - OPERATOR, STAFF, HOUSEHOLD RESIDENT REQUIREMENTS

TABLE X
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State	Day Care Mother								Other Staff		Other Members of Household Subject to Same Health Requirements for Day Care Mother
	Age 4/	Health						Other (Aside from maturity, good character, etc.)	Age 4/	Subject to Same Health Requirements for Day Care Mother	
		Med. Exam.		T. B. Exam.		Other					
		Initially	Annually	Initially	Annually	Initially	Annually				
New Jersey		X		X						X	X (T.B. examination req'd. if over 16 years.)
New Mexico											
New York	(no person under 18 in sole charge of children)	X							18		Must be in good health.
North Carolina (Voluntary Licensing)	21	X	X					Speech, free of impairment.		X	X
North Dakota		X									Only if health problem indicated.
Ohio Approval)	21	X		X				Training or experience in child care.		X	X (who assist in caring for children)
Oklahoma		X									
Oregon (Voluntary approval if less than 5 children)				X	X					X	
Pennsylvania	Over 21	X	X	X	X					X	X
Puerto Rico	Over 21 (R)	X							18 (R)		X

STATE LICENSING OF FAMILY DAY CARE HOMES - OPERATOR, STAFF, HOUSEHOLD RESIDENT REQUIREMENTS

TABLE X
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	Day Care Mother								Other Staff		
		Health						Other (Aside from maturity, good character, etc.)			
		Med. Exam.		T. B. Exam.		Other					
State	Age 4/	Initially	Annually	Initially	Annually	Initially	Annually		Age 4/	Subject to Same Health Requirements for Day Care Mother	Other Members of Household Subject to Same Health Requirements for Day Care Mother
Rhode Island	Between 21 - 60			X	X			Ability to speak English (R)			X (All over 16 years.)
South Carolina		X	X							Must have health card. (Emergency assistant)	X
South Dakota	21	X	(if need indicated)								X
Tennessee	18	X	X	(If indicated)	Same				18	X	X (Operator's children, grandchildren and other relatives must comply with immunization requirements for children in care.)
Texas	Between 21-65 (R)	X	X							X	X
Utah		X	X							X	X (if responsible for children)
Vermont (Proposed regs.)	18	X	X	X	X			Satisfactory child care experience		X	(if any contact with children; operator's children expected to meet health requirements for children in care)
Virginia		X									X

STATE LICENSING OF FAMILY DAY CARE HOMES - OPERATOR, STAFF, HOUSEHOLD RESIDENT REQUIREMENTS

TABLE X
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State	Day Care Mother								Other Staff		Other Members of Household Subject to Same Health Requirements for Day Care Mother
		Health						Other (Aside from maturity, good character, etc.)	Age 4/	Subject to Same Health Requirements for Day Care Mother	
		Med. Exam.		T. B. Exam.		Other					
	Age4/	Initially	Annually	Initially	Annually	Initially	Annually				
Washington		(May be req'd.)		(If available at no cost)					16		X (T. B. examination required for all over 14 years, if available at no cost.)
West Virginia (Approval)	21 - 60	X	X	X	X				18	X	X (if responsible for children)
Wisconsin											
Wyoming		X (Dr's. statement must certify non-addiction to drugs or alcohol)	X (Incl. non-addiction certification.)	X	X			Child caring ability		X	

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI

State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
Alabama				(R)	(R)			(R)	(R)			(R) - individual cots; isolation area if more than 1 child.	
Alaska						X	X			Foster Boarding Home Regs.		Individual cots	
Arizona (Certification)			X		X				X			(R) - individual cots; isolation of sick child.	Fence preferred.
Arkansas	X				X				X			35 sq. ft. per child; individual baby beds for children under 2 yrs.; isolation of ill children.	Fenced if traffic hazards exist.
California				X				X		Housing Code		Individual cots; isolation area.	
Colorado				X	X							35 sq. ft. per child.	75 sq. ft. per child; fenced.
Connecticut	X	X	X	X	X			X	X	Safety Code	Safety Code	Individual cots; beds or mats.	
Delaware		X	X	X	X			X	X	Safety Code Board of Health approval-Water supply, sewage disposal system	Safety Code		

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
District of Columbia	X		X		X						Licensing Agency approval- Low windows and stairways used by children.	Isolation of sick child.	Enclosed yard.
Florida (Dade, Duval, Orange Counties)							X	X		Health Division approval- Certain waste discharge methods	Any local Code requirement more stringent than state requirement set forth by day care standards.	25 sq. ft. per child; individual cots; isolation area.	40 sq. ft. per child; fenced.
Georgia	- All applicable State and local laws, ordinances, regulations and rules -											35 sq. ft. per child; provision for naps.	100 sq. ft. per child in group using play space at one time; fenced or otherwise protected.
Hawaii								X		Housing		35 sq. ft. per child; individual beds, cots or insulated bags.	Fenced or protected
Idaho										Dept. of Health approval- Water supply from other than city water system.		35 sq. ft. per child; individual cots; provision for isolation of sick child.	75 sq. ft. for each child under 6 yrs., 100 sq. ft. for each child 6 or over, fenced if hazardous

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
Illinois						X	X			Agriculture and Health Depts. standards re food products from home-raised animals.		Individual cots or beds (clean sheets if also used by day care family); provision for isolation of sick child.	Protected against hazards.
										Pet inoculation regs. (State or local)			
Indiana				X	X	X	X	X	X	Safety Regs.	Police Regs. Safety Regs.	35 sq. ft. per child; nap accomodations; isolation room (if over 6 children in care).	50 sq. ft. per child; enclosed.
Iowa					X		X		X			35 sq. ft. per child (R).	75 sq. ft. per child (R)
Kansas	X	X	X	X	X					Water supply, sewage disposal requirements.	Water supply, sewage disposal regs.	Napping facilities on or above ground level; individual cots (R); isolation of sick child.	Fenced if adjacent to busy street or other dangerous area.
Kentucky	(Applicant advised to check)									Milk and water supply shall be approved		35 sq. ft. per child; individual cots provision for isolation of sick child.	Fenced if necessary.

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
	Zoning	State	Local	State	Local	State	Local	State	Local	State	Local		
Louisiana (Voluntary approval)											Approval of fire, health, building inspection depts. where local ordinances apply.	Provision for naps; hot meal; isolation of sick child (R).	
Maine										Division of Sanitary Engineering standards re Water supply from other than municipal water system or an already approved supply.		Individual cots, mats or beds; hot lunch.	
Maryland							X		X			Napping facilities; isolation of sick child (R).	
Massachusetts						X	X	X	X	Safety laws Dept. of Public Health approval - Well water	Safety ordinances	Individual cots; separate bed space for sick child.	

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
Michigan						X or X re water supply and sewage disposal						40 sq. ft. per child in sleeping rooms; isolation of sick child.	
Minnesota		X	X									Plan for isolation of sick child; lunch with one hot dish.	Fenced if hazardous
Mississippi (Voluntary Certification)		X	X Community & county					X	X Community & county	Safety regs.	Safety ordinances of community and county	Provision for naps; isolation of sick child.	Protection from hazards
Missouri	X		X		X				X	Approved milk and water supply	Safety	Individual cots; isolation of sick child.	Fenced when necessary
Montana			X	X	X	X re water supply				N.F.P.A. Life Safety Code (as adopted by State Fire Marshal)		Napping facilities; isolation room.	Fenced if hazardous
Nebraska	X		X	X	X	X	X	X	X			35 sq. ft. per child; isolation of sick child; hot lunch for those remaining 4 hrs. or more.	72 sq. ft. per child (R); fenced if children 18 mos. to 6 yrs. in care

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
Nevada													
New Hampshire (1971 regs.)	X		X (if more stringent than FDC standards)	X	X					Safety	Safety	Individual cots for those remaining over 3 hrs.; plan for isolation of sick child.	
New Jersey				X	X					Laws and regs. re housing, potable water, sewage disposal, and any others applicable		Individual cots and cribs	
New Mexico				X	X					State and local codes re Heating system Electrical installation Plumbing Health Dept. approval - Water supply Water supply system: Installation Alteration Extension Plumbing system		Individual crib for each child under 2 yrs.	Fenced, if necessary

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
New Mexico (cont.)										Sewage, garbage, or refuse disposal system (National Electrical Code)			
New York						X	X			Water supply Sewage facilities	Water supply Sewage facilities	Rooms above ground level; hot meals for children in care over 4 hrs.	

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
North Carolina (Voluntary Licensing)	All local ordinances											Individual beds, cribs, cots, or mats.	75 sq. ft. per child (unless more req'd. by local ordinance); fence, hedge or natural barrier (unless fence req'd. by local ordinance)
North Dakota				X (Will be taken into consideration in determining fitness of facility)	X	X	X	X	X	Health Dept. approval - Water supply from non-municipal source		35 sq. ft. per child; individual cots (R); isolation area.	75 sq. ft. per child
Ohio (Approval)												Approximately 35 sq. ft. per child; provision for naps; isolation area.	
Oklahoma												Individual cots or beds.	
Oregon (Voluntary approval if less than 5 children)			X			X		X		Fire Marshal approval - Building Bd. of Health standards - Plumbing system Garbage and disposal systems		35 sq. ft. per child, individual cots; isolation of sick child.	Enclosed or patrolled

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
Pennsylvania							X		X	Applicable regs. of Depts. of Health, Labor and Industry, State, Public Welfare	Safety	Individual cots, cribs beds for each child under 6 yrs.; isolation of sick child.	Fenced or protected if toddlers in care
Puerto Rico				(R)				(R)				Individual cots, beds, mats (R); isolation of sick child (R).	Fenced if children over 2 yrs. (R)
Rhode Island		X	X	X	X	X	X			Health dept. approval- Non-public water supply & sewage disposal systems	Ordinances re yard & house maintenance	Individual beds (R); isolation facilities.	Fenced if toddlers in care
South Carolina				X (As recommended)	X	X (As recommended)	X re toilets washrooms, other recommendations	X	X (County and city or town)			35 sq. ft. per child; individual cot, bed or pad for each preschool child in care over 3 hrs.; provision for isolation of sick child (if more than 1 child in care).	75 sq. ft. per child; fenced if unsafe
South Dakota										Health Dept. tested as safe- NON-PUBLIC WATER SUPPLY		Individual cots or mats (R); isolation of sick child (R); warm meal for child in care over 4 hrs.	Fenced (desirable)

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
Tennessee				X	X			X	X	DEPT. OF INSURANCE & BANKING (FIRE PREVENTION DIVISION) APPROVAL - HOME HEALTH DEPT. APPROVAL - HOME		Individual beds or cots for preschool children (if family beds used, must have clean coverlet); isolation of sick child.	Protected from traffic
Texas	X	X		X	X	X	X	X	X	TEXAS FOOD & DRUG LAW (R)	Plumbing ordinances Health dept. permission-Service of non-grade A pasteurized milk	500 cu. ft. per child living space used by children; individual cots (R); isolation of sick child.	Fenced
UTAH	X (OR PRIVILEGE LICENSING)							(R) RE FOOD SERVICE		STATE OR LOCAL HEALTH DEPT. APPROVAL - NON-PUBLIC WATER & WASTE DISPOSAL SYSTEMS		25 sq. ft. per child (R); individual cots (R); mats or sleeping bags acceptable under certain conditions; provision for isolation of sick child (R)	75 sq. ft. per child (R) protected from hazards
VERMONT (PROPOSED REGS.)				X (AS DETERMINED BY FIRE MARSHAL)						HEALTH DEPT. DETERMINATION-OTHER STANDARDS FOR "PROTECTION"			

STATE LICENSING OF FAMILY DAY CARE HOMES - FACILITY REQUIREMENTS

TABLE XI
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State	Compliances											Indoor Requirements	Outdoor Requirements
	Local Zoning	Building		Fire		Health		Sanitation		Other (Including Required Approvals			
		State	Local	State	Local	State	Local	State	Local	State	Local		
Virginia											Health officer approval - Water not obtained from municipal supply; Sewer disposal for house not connected to municipal sewer line.	Separate beds for other than sisters or brothers of same sex; provision for isolation of sick children.	
Washington											Health agency approval - Drinking water from private source.	Separation of sick child.	Fenced, if necessary
West Virginia											Fire authority approval of home (may be required)	Individual cots or beds (R); hot meal for child in care over 4 hours.	
Wisconsin													
Wyoming	X											Ground floor only beginning, Sept. 1971.	200 sq. ft. per child (R); fencing or enclosure (R).

Tables - Footnotes

1. An age range noted as "between 3 and 16" includes children who are 3 years of age up to but not including children who have had their 16th birthday.
2. Accomodations other than specific requirement for a room per se.
3. Isolation of sick child required; space not specified.
4. Minimum age or age range, whichever is specified by the State. (see also note 1, above relating to statement of age range.)
5. New regulations become effective December 1, 1971. Table entries reflect regulations in effect as of September 1971.

Symbols

(R) - recommended